

# Law Enforcement News

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## Japanese cash doesn't register

IACP officials, stunned by big-bucks gifts, say "no thanks"

The International Association of Chiefs of Police has clamped a moratorium on gratuities and gifts received by its members and said it will change the way corporate contributions are accepted, after a Virginia newspaper disclosed that top IACP officials were given gifts of thousands of dollars in cash during a trip to Japan in April.

In a copyrighted story published Dec. 10, The Richmond [Va.] Times-Dispatch disclosed that five IACP officials had been given bags containing the cash by a Buddhist leader with ties to the NEC Corp., the manufacturer of automated fingerprint identification systems now used by law enforcement agencies in 16 states. The gifts were received during a three-day, all-expenses paid visit to Japan in late April.

Those who received the cash gifts were: New York City Police Commissioner Lee P. Brown, who was then IACP president; current IACP president and Conyers, Ga., Police Chief C. Roland Vaughn III; past IACP president and Naperville, Ill., Police Chief Charles Gruber; Virginia Secretary of Public Safety Robert L. Suthard, who was then serving as IACP second vice presi-

dent; and G.H. Kleinknecht, the assistant commissioner for enforcement at the U.S. Immigration and Naturalization Service who then served as IACP treasurer.

While all of the officials eventually returned the cash — Brown and Suthard waited until returning to the United States to do so — the newspaper said the incident raised ethical concerns within the IACP and questions about the relationship between NEC Corp. and a foundation created by the Buddhist leader Seiyu Kiriama, archbishop of the Agon Shu sect based in Kyoto, Japan.

NEC officials have denied any connection between the company and the disbursement of the cash, but Suthard told the Times-Dispatch he returned the money in a check made out to NEC so he could have a record of the transaction.

In October, the IACP governing board voted to return a \$300,000 corporate contribution from NEC and rescinded honorary memberships and awards to two NEC executives. NEC Information Systems, a subsidiary of NEC Corp., manufactures and sells the automated fingerprint identification systems (AFIS) purchased by several



Lee P. Brown  
No yen for bagful of dollars

states, including Virginia, in recent years. Virginia bought its system in 1987 and Suthard, who then headed the Virginia State Police, said he had no role in the purchase.

According to a statement issued by the IACP, Kiriama issued invitations for the trip at a time when IACP was considering ways in which it could assist the Agon Shu and its Japanese-American Friendship Foundation "in efforts

to provide support to survivors of law enforcement officers who had been killed in the line of duty."

Bill Wells, a retired FBI agent who is now a vice president at NEC's fingerprint identification division, is treasurer of the Japanese-American Friendship Foundation set up by Kiriama in September 1990. Wells stressed that there are no connections between the foundation and NEC, and that Kiriama paid for the IACP trip.

An NEC spokesman also denied a link between the company and Kiriama. "There's no connection at all between NEC and the money [given to IACP officials]. That money was given to them by Agon Shu," said Kevin Chase of NEC's New York office in an interview with LEN. "There's no business relationship at all between NEC and the Agon Shu. There's also no link between top members of that organization and our executives."

But in an interview with the Times-Dispatch, Suthard said: "I don't see how anybody could say they're not associated." He said that NEC officials extended an invitation

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## FBI's serial-murder data base gets a beef-up as two more states log on

Two more states have signed agreements with the FBI allowing them to enter homicide data into the bureau's Violent Criminal Apprehension Program (VICAP) data base, which helps draw links between unsolved homicides by matching certain crime scene characteristics.

With the addition of North Carolina and Texas, law enforcement agencies in nine states now participate in the VICAP State Cooperative Program. Those states voluntarily submit data about unsolved or "stranger" homicides to data bases set up within their public safety departments by using special forms. The information is then sent off to the VICAP computers base at the FBI Academy in Quantico, Va., which

holds details on nearly 6,000 homicides.

"We'll check out almost any report they want to send in, but what we ask them to do is to send us unsolved murders or solved murders if they think the person they have arrested could be responsible for additional murders. We have them report missing persons when there is a suspicion of foul play and any unidentified dead that they have," said Terry Green, the program manager of the VICAP section.

The reports are then entered into the VICAP files and each individual report is checked against other reports in the system, which "kicks up" as many as 10 cases with similar crime scene characteristics, Green added.

If matching cases are found in different states, FBI officials contact the investigators handling the case, notifying them that a link has been discovered. "At some stage, if it requires all of the investigators getting together, we will set that up and coordinate a multi-agency serial murder investigation," said Green.

Green said the VICAP system has uncovered nearly 160 instances in which two or more cases were linked to one suspect. "We will link the cases, give all of the police departments the information we have on them, and at some point, get the police departments together if we can to coordinate an investigation," said Green, who added that

the bureau is not responsible for investigating or prosecuting homicides unless they occur on Federal property.

States such as New York have developed their own VICAP-style systems that are linked with the FBI data base. Green said that state-based systems should utilize VICAP forms as their source document so that "in the future we can still talk to each other. That's been a big problem with law enforcement. Everybody sets up independent systems and then they can no longer talk."

Supt. Thomas Constantine of the New York State Police, who in 1986 helped set up the nation's first state-based Homicide Assistance Lead-Tracking System (HALT), acknowledged that such state systems do not have the ability to communicate with one another. Instead, they must communicate through Quantico, so it is important that they link up with the FBI system. "The secret to this thing is to have a form that fulfills your state needs

but also addresses the needs of Washington," he said.

In Texas, law enforcement officials have entered about 60 murder cases into its new link-up with Quantico since the project got off the ground late last month, according to Bill Millner, a crime analyst with the Texas Department of Public Safety's Criminal Intelligence Service. "We're looking at another year or two before we get a sufficient data base built up," he said.

Millner said a nationwide increase in "stranger" homicides was a pivotal reason for Texas entering into the agreement with the FBI, noting that Texas has a larger number of such killings than most states. "Also, [VICAP] is probably one of the best tools we have available to us in the 1990's to deal with these types of homicides. If you try to do it with manual files and manual information systems, it really is kind of old hat. We need to get into the computerized age when working these things and this is the one to do it with."

## What They Are Saying:

**"If we can make a positive impact on them, hopefully by word of mouth it will spread to their parents, their neighbors and friends."**

— Special Agent Henry Jimenez of the FBI's Washington field office, on the program that has linked the office with a local elementary school. (4:2)

## One is the loneliest number. . .

It's tough enough being a one-man police department these days. But what do you do when the recession hits your town and the budget evaporates? In some cases, there's no option but to close up shop. **See Page 9.**



# Around the Nation

## Northeast



**CONNECTICUT** — Terry Johnson, 22, and his brother, Duane, 19, have pleaded not guilty to killing state Trooper Russell Bagshaw, 28, when he surprised them during a burglary June 5 at the Land & Sea Sports Center in Putnam.

Nicholas Bianco, the reputed head of organized crime in Connecticut, was sentenced Nov. 25 to 11 years in prison and fined \$125,000 on a racketeering conviction.

The state's training facility for police dogs is back in operation after a temporary hiatus due to the state budget crisis. The State Police canine unit was shut down in October, but was revived after the state police union agreed to monetary concessions. [See LEN, Dec. 15, 1991.]

**DISTRICT OF COLUMBIA** — The District is moving closer to breaking its one-year-old homicide record of 483, after a wave of 18 murders took place in a nine-day period in early November. As of Nov. 14, authorities had recorded 428 killings in the District. [See related item, below.]

Mayor Sharon Pratt Dixon has unveiled a plan to tackle violent crime by youths, including denying bail in some cases, and increasing penalties by trying offenders as young as 14 as adults. Dixon also proclaimed December as gun amnesty month, during which guns can be turned in to police without criminal penalties.

Gun-related homicides and suicides fell by one-fourth in the District after the city's adoption of a tough handgun law in 1976, according to a new analysis. Researchers at the University of Maryland say that while the city's murder rate has risen sharply in recent years, the gun law has helped to prevent an average of 47 additional deaths a year.

**MARYLAND** — The state agency that compensates crime victims who suffer injuries is out of money and ceased payments to 1,000 people on Dec. 9. Since 1968, the agency has paid out \$25.1 million to 11,723 victims.

**MASSACHUSETTS** — Motorists convicted of killing someone with a motor vehicle could lose their driver's licenses for 10 years under a bill awaiting final approval from the Legislature. A second offense would carry a lifetime license suspension.

Raymond (Junior) Patriarca, the reputed head of the New England Mafia, pleaded guilty Dec. 3 to Federal racketeering charges, but refused to admit to membership in the secret crime organization known as La Cosa Nostra. Patriarca, 46, faces up to 65 years in prison and a \$1.7-million fine.

Up to \$1 million from one day's lottery receipts will be used to finance the Children's Trust Fund, designed to fight child abuse, under a proposal before the Legislature. The fund, created in 1988, has no normal mode of funding.

**NEW HAMPSHIRE** — Special patrols by state and local police were deployed in all 10 counties early this month as part of an effort to nab drunken and drugged drivers.

**NEW JERSEY** — A state grand jury has found no basis for indicting four police officers who fatally shot two Newark residents and wounded four others after a chase last June. Newark Police Officer Marvin Carpenter, who was one of four officers from Newark and Hillside who pumped 37 rounds into a stolen van after it crashed into a Hillside patrol car, was charged with misconduct for trying to conceal his involvement in the incident.

State Police officials say compliance with the state's ban on assault weapons has been low since the law went into effect on May 31. As Nov. 1, 2,000 of the estimated 300,000 weapons had been turned in, rendered inoperable or registered for competition purposes.

Five people, including a son and stepdaughter, are charged with murder and conspiracy in the slaying of Sgt. Revell Quince, 43, of the New Jersey Institute of Technology police force. Quince was ambushed on a country road as he returned from work. A prosecutor said the five plotted to kill Quince because in the 1980's he had been accused of physically and sexually abusing his stepdaughter, now 22.

Twenty-seven people were arrested last month in a two-day, five-county roundup that capped a monthlong investigation of a cocaine distribution ring.

**NEW YORK** — Ticket sales in New York City's "Invest in Kids" lottery are continuing to slump, according to state lottery officials. The lottery, proceeds from which are intended to fund part of the "Safe Streets, Safe City" anti-crime program, is running at about 50 percent of projected sales.

All sworn and civilian employees at a Nassau County police precinct were tested for tuberculosis last month after a female prisoner being processed at the facility said she had the disease.

Sergeants in 14 New York City precincts have begun solo patrols with only a shotgun for company. The solo supervisory patrols, part of an effort to maximize personnel resources and save the city about \$1.2 million, began with lieutenants more than a month ago. [See LEN, Oct. 31, 1991.]

Gov. Mario Cuomo has introduced a series of proposals aimed at making inmates earn part of their keep. Included in the plan are: charging \$7 a day for room and board to inmates in work-release programs, plus a \$10 a week administrative fee; a \$25 fee for inmates to receive a high school equivalency diploma or vocational education certificate; scrapping the current practice of giving each inmate who is released \$40 in "good luck" money; and ending \$400,000 in state subsidies for inmates' commissary items such as cigarettes and soap.

The New York City Council has approved legislation that will add 35 cents to monthly phone bills in the city to help pay for a \$203-million upgrade

of the 911 emergency dispatch system.

An auto-theft ring that allegedly traded luxury cars from Manhattan for West African heroin was busted by authorities earlier this month. A police sting operation led to the arrests of 20 people who were charged with trying to bribe police to further their thefts. The gang is said to have stolen 175 cars, valued at over \$4.4 million.

Jack Jordan, president of the New York City Housing Patrolmen's Benevolent Association, was ousted in a landslide vote Nov. 26, losing to Timothy Nickels, a seven-year veteran of the Housing Police. Some observers said the biggest factor in Jordan's loss was the changing racial makeup of the force. Once predominantly black, the Housing Police is now more than 67 percent white. Jordan is black; Nickels, a white man.

As a way of reducing jail overcrowding, 500 New York City inmates awaiting trial are to be released next year into an electronically-monitored house arrest program.

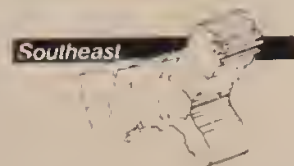
A bloody war for control of the Colombo organized crime "family" in New York City has claimed at least five lives so far, in what officials say is the worst outbreak of Mafia infighting in three decades. The struggle is the result of a simmering dispute between the group's imprisoned boss, Carmine Persico, and his handpicked temporary successor, Victor J. Orena.

**PENNSYLVANIA** — Eleven people said to be the largest cocaine wholesalers in the Philadelphia area were arrested last month in a drug sweep in Pennsylvania and New Jersey. The sweep, which culminated a joint Federal, state and local investigation, also resulted in the seizure of 160 pounds of cocaine, more than \$600,000 in cash, jewelry, furs and firearms, several cars, a boat, body armor and flak jackets.

Twenty-five troopers are to be added to the State Police troop that patrols the 470-mile Pennsylvania Turnpike. Despite increasing vehicular traffic, Troop T has operated with a steady 217-trooper complement since 1976.

**RHODE ISLAND** — Providence police earlier this month began operating out of a new substation in the Port Authority instead of the downtown police headquarters, as part of an effort to increase efficiency.

State prison inmates infected with the HIV virus will receive special counseling and other services upon release, the state Health and Corrections Department said recently. The program is being aided by a three-year, \$150,000 Federal grant.



**ALABAMA** — Wedowec Police Chief Ed Hay is reported in stable condition after a Dec. 7 pistol-whipping incident. Betty Barsh, 54, and her sons, Jimmy, 26, and Barry, 29, were charged with

assault in the incident that erupted after they allegedly burst into a post office claiming to be Jesus, Moses and God on a mission.

State health officials are said to be considering a plan to ask the owners of crack houses to help fight AIDS. The plan was spurred by evidence showing that many drug users trade sex for crack. Forty percent of victims reportedly contract AIDS through heterosexual sex, and the percentage linked to drugs is rising, officials say.

The 1991 murder total in Birmingham has tied the record of 125 set last year, amid calls for a "violence-free weekend" from Acting Police Chief Johnnie Johnson. Despite a rally to press the case for alternatives to violence, four homicides were recorded in the city during the weekend. Johnson observed, "We are going to have to work a little harder to convince people that life is worth living."

**FLORIDA** — Federal agents seized nearly 12 tons of cocaine in raids on two Miami warehouses Nov. 26. The drugs, packaged in kilo and half-kilo bricks, were placed inside metal tubes and then encased in concrete to resemble fence posts, officials said. Eleven people were arrested in Texas and Venezuela in connection with the raid, which stemmed from information obtained in a similar raid two weeks earlier in Texas, in which five men were arrested and 2,400 pounds of cocaine were seized.

Douglas Crawford, who says he has AIDS, has been charged with attempted murder after allegedly spitting on a Plant City police officer during a recent arrest. Experts say it is nearly impossible to transmit the AIDS-related virus by spitting.

Eustis police officials are awaiting the results of blood tests to learn whether Casper, a drug-sniffing police dog, swallowed marijuana during a Nov. 24 car search.

**LOUISIANA** — With the exception of car theft and negligent manslaughter, crime in Baton Rouge from January to October went up in 1991, police records show. The 57 murders during that period are a new record, and the 113 rapes reported are up from 93 in the same period in 1990.

Thomas Foulds was ordered held on \$1-million bail last month on charges of possessing marijuana with intent to distribute. Foulds was stopped for a traffic violation when police discovered 500 pounds of marijuana in his truck.

Baton Rouge police officials are conducting an internal investigation of charges of excessive force used in a fight with four Muslims selling newspapers last month. The NAACP says the men were attacked. The four were charged with disobeying police and soliciting business in traffic.

**MISSISSIPPI** — Meridian police have recorded increases in at least two major-crime categories this year over 1990 figures. Seventeen rapes had been reported as of Dec. 1, up from 11 in all of 1990. Police say the 1990 total of 620 burglaries has also been surpassed, with drug abusers to blame for the increase.

Pontotoc County Sheriff Buddy Eubank says \$18,932 in confiscated drug money has been donated to build a new school that will train at-risk students for equivalency diplomas or vocational jobs.

**NORTH CAROLINA** — Bank robberies in the state have jumped to a record 245 in 1991, a 24.3-percent increase over the previous mark of 197, set just last year. A rise in drug abuse was cited for the increase.

**SOUTH CAROLINA** — The state's juvenile justice system is behind the times and must be made tougher to meet modern needs, a state official observed recently. The official urged that juvenile repeat offenders or those accused of violent crimes be handled in general courts, and that their juvenile records be tracked so they are available if the youth becomes an adult offender.

**TENNESSEE** — Rhea County Deputy Robert Frady was demoted to chief operations officer for one year after pleading guilty late last month to an eight-month-old drunken-driving charge. Frady was sentenced to two days in jail and a \$250 fine.

Following a judge's order, University of Tennessee officials have said they will open campus police reports to the public. Students' academic and conduct files will remain confidential.



**ILLINOIS** — Formal charges have been filed with the Chicago Police Board as the first step in an effort to fire a top police commander and two detectives for the alleged torture of a prisoner in February 1982. The 30 charges accuse Cmdr. Jon G. Burge and Det. John A. Yucaitis of abusing Andrew Wilson, a career criminal, by shocking him with an electrical device attached to his ears, handcuffing him to a hot radiator, and suffocating him with a plastic trash bag held around his neck. Det. Patrick J. O'Hara is accused of failing to take action to stop the abuse. The officers deny the charges, which have gone unproven in two Federal court cases and an earlier police investigation. Wilson was convicted in 1983, and in a 1988 retrial, of killing two Chicago police officers.

Edward Moore, 34, of Chicago, has pleaded not guilty to charges that he raped 49-year-old Judith Zeman, poured gasoline on her and burned her to death last July. A trial has been set for March 16, and prosecutors have vowed to seek the death penalty.

The University of Illinois at Chicago is the new home of the nation's only computerized repository of children's fingerprints. The National Fingerprint Center for Child Identification, founded by Diane G. Apa in 1983, will be housed in UIC's Office for the Study of Child Victimization. Apa has been appointed director of the office.

**KENTUCKY** — Officials say an anti-drug strike force has destroyed 823,088 marijuana plants this year — enough to make 202 marijuana cigarettes for every state resident.



# Around the Nation

**MICHIGAN** — The State Police crime lab in Marquette will remain open after Gov. John Engler said the lab's \$530,000 budget would be spared from the current round of budget cuts. County prosecutors had filed suit to keep the lab open, but a judge rejected the suit.

**OHIO** — Sites have reportedly been chosen for 12 new prisons, honor camps and dorms to house 6,500 inmates and reduce crowding at state prisons. The existing facilities are operating at 170 percent of capacity.

The Cincinnati City Council voted earlier this month to repeal a 1973 law that made public begging a crime. The American Civil Liberties Union and advocates for the homeless urged the repeal; downtown residents and merchants sought to keep the ordinance in force, saying panhandlers had scared people into staying away from the downtown shopping area.

Thomas Bodi, director of the Lucas County 911 emergency phone system, says he won't investigate why a woman, who was later raped, was unable to reach an operator when she called about a man breaking into her home Nov. 30. Bodi said the woman should not have hung up after getting a recorded message.

A Dayton woman has filed a \$1.5-million Federal lawsuit based on her claim that police officers seized her video camcorder and erased a tape of them making an arrest. The suit filed by Monica Meyer-Riggins alleges that on May 10 she was arrested for jaywalking after videotaping the arrest of a man by police officers who pinned the man to the ground by standing on him. Police say the man was pointing a handgun at city buses. The suit names the City of Dayton, Police Chief James Newby, and several officers as respondents.

**WEST VIRGINIA** — The construction of a new FBI identification center in Clarksburg is apparently contributing to a boom in new housing as builders work to accommodate an expected influx of 2,500 new Federal employees. Most of the new homes are said to be in the \$100,000 price range, even though many of the FBI workers will make less than \$20,000 per year.

**WISCONSIN** — The Legislature is continuing hearings on a bill to reinstate the death penalty for those who kill children, police officers, firefighters, prison guards or rape victims.

Catherine Lacy has filed suit against Milwaukee police officer Richard Porubcan and former officers Joseph Gebrish and John Balcerzak for their failure to arrest accused serial killer Jeffrey Dahmer on during a May 27 encounter. Two months later Lacy's son, Oliver, 23, was slain. [See LEN, Sept. 15, Sept. 30, 1991.] In a related development in the case, Dahmer's lawyer has filed motions to suppress his confession and evidence seized from his apartment. The lawyer also asked for a change of venue for the trial, now set for Jan. 27.

A man suffering from AIDS died in the Racine County Jail late last month, one week after he was jailed for a traffic violation and left without medical attention in a cell. Dennis Hill, 47, of Milwaukee, was hospitalized under

court order after he was found partially clothed and sobbing in his jail cell, covered with his own waste. Representatives of the Milwaukee AIDS Project said Hill wasn't helped because jailers were afraid of his disease.



**IOWA** — The American Civil Liberties Union has filed a lawsuit charging improper medical care of inmates at the Osceola County Jail. The suit, which names Sheriff Robert Rolfe and five employees as respondents, claims a female inmate was denied medical care after a miscarriage and a male inmate was not given medicine.

Dubuque police are investigating two Dec. 7 cross-burnings that brought to 12 the total number of such incidents this year. Police would not say whether the crosses were on or near property owned by members of minority groups.

**KANSAS** — State legislators have approved the purchase of three metal detectors to upgrade security at the Statehouse. Security is said to have been a concern since tax protesters got inside the Capitol in 1989.

**MINNESOTA** — The Duluth News-Tribune is suing Itasca County officials after a sheriff's deputy confiscated interview transcripts from a News-Tribune reporter during a homicide trial last month.

**MONTANA** — A Bozeman judge is considering whether a jury will be allowed to hear testimony on a DNA-profiling test said to link businessman Larry Moore to the apparent slaying in 1990 of Brad Brisbin, a restaurateur whose body was not found. Moore faces a Feb. 3 trial date.

**NEBRASKA** — The state's crime-victim compensation is running on empty, according to Crime Commission head Jean Lovell, who said that less than \$5,000 remains in the \$170,000 fund to compensate victims for 1991-1992. Eighty cases are said to be pending, and Lovell said she will ask the Legislature for \$241,000 in deficit funding.

McPherson County residents are spinning their wheels over Sheriff Darrell Billingsley's driving expenses. The Sheriff, who uses his own pickup truck on the job because the county board has refused to buy a patrol car, lives 17 miles from the office but submitted an October mileage bill for \$355. That amount was too high in the estimation of 546 residents who filed a petition for a recall election.



**ARIZONA** — Law enforcement agencies statewide seized \$6.5 million from suspected drug dealers and other criminals during the third quarter of this year, figures show. By law, seized funds may be used for enforcement purposes.

A judge has dismissed charges against four men in the August killings of nine people at a Buddhist temple in Phoenix. Prosecutors acknowledged having no evidence other than recanted confessions that defense attorneys said were coerced. Leo Valdez Bruce, 28, one of those released, filed a \$10-million false-arrest claim against the Maricopa County Sheriff's Department and others. Sheriff Tom Agnos has said that media coverage of the temple massacre has hindered investigators by drying up sources of information.

**COLORADO** — Former Denver police Sgt. James King pleaded not guilty Nov. 25 to 15 charges stemming from the June 16 robbery of a branch of the United Bank of Denver. Four unarmed security guards were killed in the robbery, and \$200,000 was taken, none of which has been recovered. [See LEN, July/August 1991.]

**NEW MEXICO** — Albuquerque officials say drug tests, which cost \$50,000 to conduct, can cut self-insurance costs by \$1 million. Of the 1,349 prospective employees screened this year, 36 failed.

**OKLAHOMA** — A statewide toll-free phone number, (800) 522-0117, has been set up by the FBI to field information about Michael St. Clair, 34, and Dennis Reese, 31, who escaped Sept. 19 from the Bryan County Jail and are wanted for questioning in the deaths of people in three states.

**TEXAS** — Deaths from firearms exceeded deaths from vehicle accidents last year for the first time since the state's vital records were computerized in 1964. A new study by researchers from the state Department of Health found that 3,443 people were killed by guns in 1990, compared to 3,309 killed in automobile accidents.

Trial began last month in a wrongful-death lawsuit filed by relatives of a motorist who was shot to death in 1989 by an off-duty Houston police officer. Relatives of Ida Lee Delaney, 50, who was fatally shot Oct. 31, 1989, by off-duty officer Alex Gonzales, are seeking unspecified damages from the City of Houston, Gonzales and two other former officers. Attorneys for the city say the city is not responsible for the actions of off-duty police. Gonzales and the other officers, Alex Romero and Robert Gonzales Jr., were fired from the force after the shooting. Alex Gonzales has been convicted of voluntary manslaughter in the case.

Denton police Det. David Scott, 39, was listed in serious condition early this month after being shot in the chest while stopping two burglary suspects. No arrests had been made at press time.



**ALASKA** — Gov. Walter Hickel is said to be considering introducing a bill to revive the death penalty in the state. Capital punishment was abolished by Alaska's territorial government in 1957, two years before statehood was awarded.

An arbitrator has awarded Anchorage police employees 3-percent raises for 1991, retroactive to Jan. 1, and 5.5-percent raises for 1992. Police salaries, which start at \$45,000 a year, have been frozen for five years. Mayor Tom Fink had hoped to cut salaries by 1 percent.

The FBI is looking into a drive-by shooting in which two soldiers from Fort Wainwright were charged with wounding an Alaskan native. The bureau is said to be an effort to determine whether the incident involved domestic terrorism and civil rights violations, which are legally defined as hate crimes. One soldier was acquitted and the second pleaded no contest to assault.

**CALIFORNIA** — A review of 700,000 criminal cases throughout the state shows that white defendants got better plea-bargain deals than Hispanics or blacks accused of similar crimes, according to the San Jose Mercury News. The study also found that whites got more lenient sentences and went to prison less often.

The Pasadena City Council has apologized to the Los Angeles County Sheriff's Department for demanding that no neo-Nazi deputies be assigned to the Jan. 1 Rose Bowl Parade. Sheriff Sherman Block threatened to pull 835 deputies from parade duties because of the remark.

Former Drug Enforcement Administration agent John Jackson, 42, has been sentenced to 10 years in prison for his role in a heroin-smuggling and money-laundering ring. Jackson testified against his one-time DEA colleague Darnell Garcia, who was sentenced to 80 years.

State Attorney General Dan Lungren has credited tough new state laws for a 15-percent decline in alcohol-related traffic fatalities.

Three Los Angeles County sheriff's deputies pleaded guilty Dec. 9 to spending \$55,000 with credit cards they stole during traffic stops. Steven Switzer, 31, Brent Mosley, 27, and Edward Perez, 35, each face up to six years in prison.

A one-time DEA informant took a fatal dose of cyanide early this month, just moments after a San Diego jury convicted him of drug charges carrying a minimum 25-year sentence. As the jurors were being polled individually to confirm the guilty verdict, Donald Wayne Shantos, 53, withdrew cyanide tablets from a glass vial in his pocket and ingested them. Shantos was said to fear retaliation in prison.

An unidentified Hayward woman has upset residents by handing out fliers congratulating black gangs for killing each other. The leaflets read in part: "The Ku Klux Klan would like to... salute all gang-bangers for the slaughter of over 4,000 black people since 1975. You are doing a marvelous job."

The California Supreme Court has cleared the way for the trial of four Los Angeles police officers charged with the videotaped beating last March of motorist Rodney King. The court unanimously upheld a lower court order removed Superior Court Judge Bernard Kamins from the case because of apparent bias against the officers. The lower court had also ordered the trial be

moved out of Los Angeles.

A San Diego man was convicted of first-degree murder Dec. 9 in the death of a fetus whose mother was wounded during a robbery. The fetus was born dead hours after Maria Flores, 21, was shot in the chest March 1 and robbed of \$387 by Robert Davis. The fetus, which was not directly wounded, reportedly died as a result of Flores' shock and blood loss. Davis, who was also convicted of assault and armed robbery, faces life imprisonment without parole when he is sentenced Jan. 7.

A Los Angeles judge has sentenced white supremacist Tom Metzger to six months in jail and 300 hours of community service with minority groups. Metzger was convicted of unlawful assembly in connection with a 1983 cross-burning incident.

**HAWAII** — Honolulu Police Chief Michael Nakamura has gotten high marks from the Police Commission during his first four months on the job. The commission cited Nakamura's production of an "excellent" management report that exceeded requirements.

**IDAHO** — Post Falls police are advising citizens not to fire at criminal suspects after Daniel Swearingen shot out a tire on suspected robber Steven Brown's car Nov. 28. Brown, who was later arrested while changing the blown tire, was charged with robbery and assault.

Latah County Prosecutor Craig Mosman has concluded that fliers for the Aryan Nations white supremacist group, which were posted on the University of Idaho campus in Moscow, may be offensive but do not violate the state's malicious harassment law.

**OREGON** — A long-haul truck driver charged with killing two prostitutes is under investigation in 20 similar murders nationwide. Scott William Cox, a 28-year-old Newberg resident, was being held in the Yamhill County Jail on two counts of first-degree murder. Detectives from at least 30 police agencies from California to Ohio have expressed an interest in Cox in connection with unsolved killings that followed a pattern north and south along Interstate 5, and east and west along I-80. Most of the killings involved prostitutes.

**WASHINGTON** — A six-member inquest jury unanimously ruled last month that a Washington State Patrol trooper was justified when he fatally shot a motorist who scuffled with him after a traffic stop. Trooper Lane Jackstadt was found to have been resisting an assault by Steven Smith when he shot Smith Aug. 29 in Seattle. A State Patrol Use-of-Force Review Board found after a separate hearing that Jackstadt acted properly and within the scope of agency guidelines. The King County prosecutor's office has yet to determine whether criminal charges will be filed against Jackstadt.

## ERRATA:

In a Dec. 15 story on suicide prevention training, the phone number for the New York City Police Foundation was listed incorrectly. The correct number is (212) 751-8170.



# The FBI is looking for a few good kids

## Agents "adopt" school in DC

Manpower recruitment, it seems, takes many forms.

Agents of the FBI's Washington, D.C., field office are now recruiting "Junior Special Agents" at a local school as part of a program to provide positive role models and good citizenship skills for youngsters who live in the crime-plagued neighborhood around the school.

FBI officials attended a ceremony at the Savoy Elementary School on Nov. 18 to mark the formal adoption of the "Junior Special Agents" program by the school, which is the first in the nation to participate. Sixth-grade students who attended the ceremony received certificates designating them as "Junior Special Agents."

Another program is underway at the Bancroft Elementary School in the city's predominantly Hispanic Mount Pleasant section, but has not yet been formally adopted by the field office.

"What they're trying to do is get [the students] involved in learning about good citizenship. And the vehicle they use to do that are special agents who teach classes in law enforcement [topics] like fingerprinting and what to do when you spot a crime. It gives them positive role models," said Jim Mull, a spokesman for the field office.

Sixth-graders were targeted because they are the role models for the younger students, said Barbara Wallace, coordinator of the program. School officials choose 30 students — 10 that are bright, 10 that are somewhere in the middle, and 10 that are on the border," she added. "That way we're working with a fairly heterogeneous group of students."

Agents involved in the program visit the school several times during the semester, and often donate their own time to spend with the students after school or on weekends. Henry Jimenez, a special agent involved in the program at the Bancroft Elementary School, told LEN that agents give academic assignments to the students, which they have to turn in for review by the agents. They are taught about the FBI, its history and are taught skills like fingerprint identification.

Agents also teach the children "reading, writing and arithmetic, but we do it in a fun way," said Wallace.

"We do it through investigative techniques and things of that nature." Agents also urge students to pursue higher education, she added.

Students also go on field trips throughout the capital. They have toured the FBI headquarters and the set of the "America's Most Wanted" TV show. They have also attended Congressional receptions. The trips help the children hone their etiquette skills, Wallace pointed out.

The Savoy school is located in a low-income area of southeast Washington that is plagued by street crime and drugs. "Some of the young kids end up getting involved in violent, drug-related activities. Up to now, the people the little kids looked up to were the other kids in the neighborhood who were getting involved as runners for the drug dealers," said Mull. The "Junior Special Agents" program aims to change that, he added.

The program also serves as a good public relations vehicle for the Bureau, said Jimenez. Minority children "traditionally haven't had a very good opinion of law enforcement," he noted. "Hopefully, they'll respect us a little bit more. If we can make a positive impact on them, hopefully by word of mouth, it will spread to their parents, their neighbors and friends."

The program is part of the Washington field office's efforts to become more involved in solving local crime problems. Three dozen agents were recently assigned to a task force with officers of the Metropolitan Police Department to address the city's murder rate and reduce the number of violent crimes plaguing the city, noted Mull. "We want to try to put a cap on this," he said. "We feel like we're part of the community and we have to get involved. It's not just a law enforcement problem. It's everybody in the community, including the FBI agents who happen to live here."

Mull added that the FBI hopes to get other Federal law enforcement agencies interested in starting similar programs aimed at youths at risk for crime. And, according to Jimenez, plans are underway to start a "Junior Special Agent" program in the New York field office and offices in other areas.

## Ohio court doesn't choke on ruling:

# Ingested evidence: fair game

An Ohio appeals court ruled last month that forcing a suspect to spit up evidence he is trying to swallow is not an unreasonable search and seizure by police.

The Ohio Court of Appeals for the 8th District ruled on Nov. 14 that police did not violate the Fourth Amendment rights of a suspected drug dealer when they grabbed the man and forced him to spit out two half-inch-square glassine bags containing a substance that later was determined to be cocaine.

The decision by Judges Joseph J. Nahra and John T. Patton reversed a ruling by Cuyahoga County Common Pleas Judge Burt W. Griffin.

In May 1989, narcotics detectives observed Garland Victor, 22, on the city's East Side waving a car to a stop, then leaning inside. Victor walked away as plainclothes detectives neared the car. The officers identified themselves and saw Victor place something in his mouth. A detective grabbed Victor's neck, giving him a quick jerk that forced him to spit out the two bags.

Griffin had ruled that the officers violated Victor's rights by choking him to obtain evidence and the case was

halted until the appeal could be heard. The appeals court ruling sends the case back to Griffin for trial.

In reversing Griffin's ruling, the appeals judges noted that other courts, including the U.S. Supreme Court, had allowed such searches in cases where suspects attempted to swallow evidence. It was impractical for the detectives to obtain a search warrant because "the defendant was in the process of destroying the only evidence the government had to convict him of possession of narcotics." They agreed that the officers had not used excessive force, and noted that Victor had not been injured in the incident.

But in a dissent, Judge Patricia A. Blackmon said: "The use of potentially life-threatening force, in this situation, should be deemed shocking to the conscious and offensive to one's sense of justice, even where the accused is a suspected drug dealer and an undesirable element of our society. He is still a human being."

A stomach pump could be used to obtain the evidence, noted Blackmon, who added that blood tests could also reveal the presence of drugs in Victor's

body. But police said that such ingestion of drugs by criminal suspects to avoid criminal charges can have potentially fatal results. Cmdr. John Joyce of the narcotics unit said such incidents were rare in Cleveland, but that he supported the ruling.

"We had a guy die in the 2nd District a couple of years ago after he ingested cocaine at the booking window. It's a sensible ruling to me," he told The Cleveland Plain Dealer.

Assistant Cuyahoga County Prosecutor David Hildebrandt said the ruling "makes it a lot easier on the streets for a police officer."

But Victor's attorney, Phillip J. Korey, said he would appeal the decision. "Police are not allowed to inflict physical violence on a citizen when trying to extract a confession, but yet the court will allow it in the seizing of evidence," he said. "I am deeply disappointed."

The Plain Dealer reported that Victor was arrested once again shortly after Griffin's ruling in January 1990 on drug trafficking charges. After his conviction, Griffin sentenced him to a year in prison.

# City-hired private eye snoops on police union in labor strife

A California police union embroiled in a labor dispute has filed an \$8-million claim against the City of West Sacramento over the city's hiring of a private investigator to keep tabs on union members.

The claim was filed Nov. 6 on behalf of the union's 76 members and is now being reviewed by city officials prior to being filed in court, said Martin Flatley, president of the West Sacramento Police Officers Association.

Flatley told LEN the union took the action shortly after learning that an investigator from the Glendale-based firm of D.Y. Jones & Associates had been hired to monitor the whereabouts of its members. The action was taken, according to city officials, in case union members tried to avoid court orders forcing them to abandon labor protests such as sickouts and slowdowns.

"We weren't doing anything criminally wrong," Flatley said. "There were never any accusations or any assumptions that would indicate we would do anything other than exercise our constitutional rights, and for that, the city goes out and hires an investigator to surveil us. We found that highly offensive. If this is a common practice — which some people seem to think it is — we want it stopped."

Flatley said the union believed the city brought in the investigator to intimidate union members and to gather information for possible "administrative actions" against those involved in the ongoing labor dispute. Earlier last month, the city unilaterally implemented a one-year contract that granted officers a 17-percent increase in salaries and benefits after union members refused to accept it.

"It's been a pretty bitter struggle, and if they could find anything of any substance, they might be able to take action against the members as far as any violation of any general orders in the department," said Flatley. "Then they would utilize that to try to frighten, coerce, intimidate [union members] to get them back in line."

City officials defended the action, reasoning that the union had attempted slowdowns and sickouts before during labor contract disputes. Mayor Ray Jones said city officials had heard reports that union members planned "to leave the city en masse" to protest the city's implementation of the contract.

City Manager Joe Goedan "had determined that everything they said they were going to do, they had done up to that point. He, the city attorney and the Chief of Police determined that it would be best to know the whereabouts of the officers so they could serve a court order in the event that they were to take off to Lake Tahoe or wherever," Jones told LEN.

Police Chief Barry Kalar, who described the dispute as "very acrimonious," said he agreed with the plan after

being assured that everything being done was legal. "There was no invasion of privacy involved. It was protecting the public interest. Quite frankly, I feel it was an appropriate decision based on the information that was available at the time," Kalar said.

The investigator followed some union members for a few days, according to Kalar and Jones. The surveillance covered "a brief period of time" and targeted "no specific individual," said Kalar. City officials withdrew the investigator from the assignment after the union announced its claim against the city.

Flatley said questions remain over how much access the investigator was given to personnel files and other confidential information. "The city, in the beginning, took the position that no confidential information was given out," he said. "We found that rather ridiculous because we know you can't conduct an investigation unless you have some of that information."

The union has not determined what types of information about police officers were released to the investigator and his firm, and is concerned about what may ultimately be done with it. "We don't know who has that information now. It is a private company and there's no control on those people to maintain the confidentiality that's mandated by law in the state of California," Flatley said.

The city can enact a unilateral labor contract for only one year and negotiations are due to resume in March, said Flatley. Jones said a "two-track resolution" to the dispute is being urged — having union officials and City Manager Goedan sit down together to iron out differences and having police officers air their grievances in meetings with City Council members. Flatley said the disagreements remain over the loss of full medical coverage and salary disparities between sworn and unsworn members.

# Clearing the air: Consultants look for sexist chatter in police transmissions

Management consultants conducting a performance review of the Denver Police Department are examining 12 hours of recorded police-radio transmissions to see if officers engage in sexist banter on the air.

Royce Arbour Inc., a Boulder, Colo.-based firm, is examining tapes recorded during a busy Friday night in September to see whether sexism exists in the department, and if so, to what extent. The review was prompted by complaints by female officers, according to Sgt. Judy Will of the Police Department's research and development bureau.

"Essentially, they just want to listen to radio transmissions... to see how we talk on the radio, and if we're using disparaging language," Will told LEN.

Several female officers have charged that sexism — some of it on police

airwaves — has created a hostile environment. The Denver Post reported last month. In 1990, Capt. Miriam Reed, filed a complaint with the U.S. Department of Labor that said "harassing comments, verbal and written, continue in various forms, such as elevator and restroom graffiti, roll-call banter and comments on the police radio."

Other female officers have claimed their male counterparts have been slow in backing them up on calls for service, or do not respond at all.

Diana Royce Smith, president of Royce Arbour, said that officers were not aware their transmissions would be reviewed by the firm. "I've listened to about two hours so far and haven't heard anything [sexist]," she said.

In addition to the tapes, Royce Arbour will review the department's

operational procedures manual and personnel information. The company is putting together a written survey that will be distributed to all Police Department employees, Will said. Private interviews of active and retired police officers are also planned as part of the review, she added, "to get some insight into what, if any, problems exist."

The City Council approved a \$40,000 outlay in August for the performance review in August. Will said she did not know when the firm might conclude its review. "It's a much bigger undertaking than we all thought it would be originally," she said.

The Denver Police Protective Association said the union did not object to the monitoring. "We're going along with this harassment study," said David Neil, the union's secretary-treasurer.



# Denver pension awards prompt changes

Disability pensions, no longer tax-free, are subject to stricter criteria

The Denver Police Pension and Relief Board, which has been under fire for what critics claim are questionable awards of disability pensions to police and firefighters, adopted new standards on Dec. 5 to correct possible abuses.

The new standards require disability-pension applicants to demonstrate that they are unable to perform the duties within their agencies because of an illness or injury incurred in the line of duty before 1980. They must also prove they are unable to make custodial arrests due to pre-1980 illness or injuries, and must submit evidence, including medical findings from a Department of Health

and Hospitals doctor, detailing the limitations posed by the illness or injury within 90 days of the disability request.

The standards allow the applicant to obtain findings from a doctor of his own choosing and gives the board the right to request an examination by the third physician at city expense.

Manager of Safety Beth McCann said the 1980 cap on disability claims reflects Denver's switch from a fund that it paid for itself to its adoption of a state-funded pension plan in 1980. Disability pensions funded by the state are not tax-free, she told LEN.

The changes affect all applications for disability pensions submitted after

March 1, 1992.

The biggest change is that applicants now must prove they are unable to perform duties at the rank they held at retirement, not at the rank at which they entered public service, said McCann, who reviewed the system at the request of Mayor Wellington Webb.

Recently, two top Denver police officials received tax-free disability pensions after city physicians found they were unable to perform duties that would qualify them for entry-level police jobs. Robert Cantwell, a deputy police chief who served as acting chief for six weeks last summer, was granted a \$38,000 disability pension last month. Cantwell, 49, received the pension

because under the old policies officers are declared disabled if they can't pass physical examinations given to police recruits.

Cantwell, a 28-year veteran of the department, told The Denver Post he had injured his back several times before 1980, most recently when a stolen compressor fell on him while he and other police officers were taking the machine to police headquarters.

Former Police Chief Ari Zavaras also received a tax-free \$39,000 disability pension when he retired last summer. The award stemmed from an injury in a 1968 motorcycle accident. But the Denver Post noted that "Zavaras didn't appear disabled during the

four years he was police chief." Four other previous chiefs also received disability pensions upon retirement.

The awards — and public criticisms about them — caused Webb to order a review of the disability pension system. "The question was: If they were disabled, how could they be the chief of police?" McCann observed. "We were using entry-level standards. And I think there were perceptions that that wasn't an appropriate standard."

Lieut. Mike Morahan of the Denver Police Department's personnel and finance section told LEN that 18 disability pensions have been awarded to employees this year.

## Bicoastal look at hate

As racists reach out to school children, California panel will look at hate-crime prevention

Saying that hate crimes are on the rise in California and that militant white supremacist groups are targeting school children, Lieut. Gov. Leo McCarthy announced the formation of a 24-member panel to prevent and curtail the spread of hate crimes.

Using statements by defeated Louisiana gubernatorial candidate David Duke to illustrate "the reality of bigotry and intolerance in America in the 1990's," McCarthy said on Nov. 18 that the Commission on the Prevention of Hate Violence, which he will chair, will pull out all the stops in an effort to educate the state's young people about hate-motivated crimes.

McCarthy's commission "will look at all the possibilities — classroom curriculum, teacher training, programs for youthful hate-crime offenders, a mass media campaign — all the ways we know or can find out to reach our children with a positive message about diversity."

"Most of us would like to believe we don't have to worry about this kind of savage, virulent bigotry influencing our children in California's schools. But we do," McCarthy said after reciting a litany of racist statements attributed to Duke. "Bigtoed Skinheads, the Ku Klux

Klan, the White Aryan Resistance — these groups are all actively recruiting and spreading their racist, anti-Semitic, homophobic propaganda all over the state."

The current recession is also breeding an atmosphere of intolerance, McCarthy said, "and as many more people are confronted with a lower standard of living, the ability of hate groups to have an influence increases."

He cited an incident last month in which a multi-ethnic school in Orange County was defaced with "KKK" and swastikas, and another in which a student at the University of California in Irvine found racial epithets scrawled in her dorm room after being seen with a black friend.

The Los Angeles County Commission on Human Relations reported 550 hate crimes in 1990, McCarthy added, "easily the highest level recorded in the commission's 11-year history." Those numbers, he said, are similar to statistics compiled by the Anti-Defamation League of B'nai B'rith and the National Gay and Lesbian Task Force.

California's efforts to collect statistics on hate crimes has been stymied because of the state's continuing fiscal problems, said Ron Gray, McCarthy's

press secretary. He told LEN that legislation approved last year called for the disclosure of hate crime reports "subject to the availability of funding."

"It relied largely on discretionary funding from the Attorney General's office," he said. "While the estimated price tag for annual reporting was estimated at something like \$140,000, the Attorney General opted not to implement the program. So we do not have statewide reporting. What we do have is a lot of agencies and organizations, including local district attorneys, who are concerned enough about the problem to make sure that they do a good job of counting local incidents."

McCarthy said the commission is expected to formulate its recommendations by this spring, when it will report to Gov. Pete Wilson and the California Legislature.

The Lieutenant Governor also urged support for Senate Bill 98, which would double criminal sentences from six months to one year in jail and fines from \$5,000 to \$10,000 for hate crimes and eliminate arbitrary caps on civil damage awards in hate-crime cases, allowing victims to sue for unlimited punitive damages. The Legislature will take up the bill in January, Gray said.

## Debut report on bias crime in New York paints a picture of victims and offenders

A first-ever report on bias crimes in New York state shows that 1,100 hate-related incidents were reported in 1990 by the 104 agencies voluntarily submitting data to the Division of Criminal Justice Services (DCJS).

The report, released Nov. 14 by DCJS's Bias Crime Incident Reporting Program, found that anti-black or anti-Semitic incidents accounted for more than half of the reports, with 312 and 303 incidents, respectively. The 144 anti-white and 44 anti-Hispanic incidents represented 13 percent and 4.1 percent of the incidents, respectively. Gays and lesbians were the target of 160, or 14.5 percent, of the incidents. Property was the target in 32 percent (381) of the bias-crime reports.

Victims of bias crimes were most often male (72 percent), as were 90 percent of the offenders known to law

enforcement. Victims in 57 percent of the cases were between the ages of 17 and 34. Victims sustained injuries in 18 percent of the incidents.

Young people were the most likely to commit offenses. Sixty-six percent of the perpetrators were between the ages of 11 and 22. The report said 64 percent of the offenders were white while 34 percent were black. Weapons were used in 20 percent of the incidents reported.

A total of 242 arrests were made by law enforcement agencies who participated in the reporting program. Law enforcement cleared 63 percent of the reported bias incidents, of which 48 percent were reported by New York City law enforcement agencies.

DCJS Commissioner Richard Girgenti stated that "criminal acts motivated by prejudice have implica-

tions that go beyond the trauma and loss associated with other crime.... These incidents promote fear, hostility and anger among people and tear at the ties of tolerance that allow us to live peaceably side-by-side in pursuit of a better life for ourselves and our families."

The New York Legislature has not yet approved bias-crime legislation. Passage of the law has been stalled for years by conservative legislators who object to the inclusion of sexual orientation as a bias-crime category. In 1989, DCJS launched the Bias Crime Incident Reporting Program, as an element of the State Uniform Crime Reporting Program, and asked law enforcement agencies to voluntarily submit statistics in an effort to gauge the extent of bias crime in the state.

Continued on Page 14

## Probe finds greater recidivism among treated rapists

An investigation by a Minneapolis newspaper has found that rapists and child molesters who received treatment in exchange for shorter prison sentences were rearrested more often than those who did not receive treatment.

The Minneapolis Star Tribune examined the records of 767 Minnesota rapists and child molesters who were convicted of first-degree crimes during the 1980's. It found that rapists who completed psychological treatment programs were 40 percent more likely to be rearrested for sex offenses within four years of being released from prison than those offenders who weren't treated.

Child molesters who received treatment were almost as likely to be arrested for sex offenses within four years of release as untreated molesters. After seven years, they were more likely to be arrested than untreated molesters.

Characterizing the findings as disturbing, the newspaper pointed out that Minnesota spends \$6.3 million a year in spent on prison- and community-based treatment centers for adult sex criminals, even as other states curtail or eliminate treatment programs for sex offenders.

Minnesota's "much-praised treatment programs don't work," the report said. "In fact, their main impact is to keep many sex criminals out of prison" because sentences are often reduced by judges if offenders opt for treatment.

Minnesota increased prison terms for sex offenders from 43 to 86 months in 1989 when sentencing guidelines were revised. The newspaper noted that the new guideline translates to only 4-1/2 years in prison after deduction for "good time." Gov. Arne Carlson recently announced his support for life-without-parole prison terms for twice-convicted rapists.

The newspaper obtained sex offenders' records from the state's Sentencing Guidelines Commission, the Bureau of Criminal Apprehension and the Department of Corrections, combining them to piece together as complete an account as possible of the criminals' histories.

Its examination of the records found that of the 41 rapists who completed

treatment, 28 percent were rearrested after four years, and an additional 28 percent were rearrested after seven years. Of 265 rapists who did not complete treatment, 20 percent were rearrested for similar crimes after four years, and 24 percent were rearrested after seven years.

For child molesters, re-arrest rates were lower overall compared to rapists, but increased with time. Of 56 who completed treatment, 8 percent were rearrested on molestation charges within four years of release. An additional 18 percent were rearrested after seven years. Eleven percent of the 253 convicted child molesters who did not complete treatment were rearrested within four years, and 13 percent were rearrested after seven years.

About 90 percent of the subsequent arrests ended in new convictions, the paper noted.

The newspaper said rearrest rates for 139 first-degree incest offenders stood at about 6 percent. Twelve offenders who had completed residential treatment programs had no subsequent sex-crime arrests during the period studied by the newspaper.

Other findings of the Star Tribune's probe include:

1 Many sex offenders are never sent to prison, and those who serve jail time spend about two years behind bars before they are released.

2 Convicted sex criminals commit far more crimes than the state's official statistics suggest because of plea bargains and other crimes that go unreported or unsolved. The average rapist is charged with more than three sex crimes, the average child molester with more than four.

3 One-quarter of two-time rapists are arrested for new crimes within two years; more than one-half of all three-time offenders are rearrested within a year of release. But the Minnesota Corrections Department reports that only 5 percent of the sex criminals released from its facilities are returned within two years on other sex offense convictions.

4 Younger rapists and child molesters were more likely to commit

Continued on Page 14



## Wearing o' the green

What better way to retire than with a tax-free disability pension that is 8 percent higher than your final year's six-figure salary?

That's exactly the kind of financial parachute that will be buoying Robert Johnston, the former Chief of Department and 40-year veteran of the New York City Police Department.

The Police Pension Board on Nov. 20 granted Johnston an annual pension



Chief Robert Johnston  
Retiring in style

of \$116,760—8 percent more than the \$107,779 he earned annually before his retirement from the NYPD last August. Johnston, 62, filed a claim saying he suffered job-related hearing loss because of a fireworks explosion at a 1989 Rolling Stones concert.

Johnston's pension ended up being higher than his salary because of a formula that gives him three-fourths of his final salary, plus one-sixtieth of earnings for each year worked after serving 20 years.

Initially, the police medical board reviewed the claim and approved it as a line-of-duty injury. But the pension board questioned the finding and ordered a further medical review in August.

Police Commissioner Lee P. Brown draws an annual salary of approximately \$110,000.

## Gone with the wind?

It is no secret around Chicago that Police Supt. LeRoy Martin would like to remain with the Police Department in some capacity—possibly as a civilian chief—once he reaches the mandatory retirement age of 63 in January.

"Don't write me off yet," he told LEN in a recent interview. But it appears that Mayor Richard M. Daley has done just that, apparently because of the Superintendent's tendency to sound off on controversial issues. [See LEN, Sept. 15, 1991.]

The Chicago Tribune reported recently that Daley has authorized a nationwide search for Martin's replacement. With characteristic candor, Martin let it be known that he was not pleased with Daley's action and that he took the outside search as a personal insult.

"If that isn't a kick in the behind or an insult, I don't know how else you could insult me," Martin said of the Daley administration's plans to interview candidates from other cities. He made the comment during an interview on WBBM-AM's "At Issue" program, which aired on Nov. 23.

Martin said the 12,000-officer Chicago Police Department has enough high-level managers who are capable of taking the reins from him when he retires, presumably on Jan. 29, his 63rd birthday. He added that an "outsider" would lack the knowledge of the department necessary to run it and that an

tin's plans, and officials of the Police Board, which would oversee a search for his replacement and nominate three candidates for Daley's consideration, say they had not been formally authorized to conduct a candidate search. Daley would choose Martin's successor from the Police Board list; his choice must be approved by the City Council.

Daley "may have told the Police Board to start this search. But that would all depend on whether the Superintendent had told him he was leaving or whether he just did that on his own," said police spokeswoman Tina Vicini. She added that Martin had not formally announced his retirement and that the Police Board could see fit to name him as one of its three candidates.

Vicini noted that Martin must retire in January, but he has indicated "that he would like to finish some of the programs he has started."

Mark Iris, executive director of the Police Board, called the Tribune report on the authorization of the nationwide search for a new chief "half-correct and a bit premature.... We are not accepting applications. Anybody sending in their resume is being a bit premature."

Iris said he did not know when the search would begin.

## Jordan's new office

Former San Francisco Police Chief Frank Jordan scored an upset victory in the city's mayoral race Dec. 10, and promised residents he would get tough on potholes, panhandlers and the city's \$91.7-million budget deficit.

"I want to start getting the bad news now," said Jordan hours after winning the mayoral runoff election by a 4-percent margin. Mayor Art Agnos, the liberal incumbent who won by a landslide four years ago, received 48 percent of the vote; Jordan captured 52 percent of the vote. He will be inaugurated on Jan. 6.

"San Franciscans believed that our city has not been working for them," said the 56-year-old former chief, who joined the Police Department in 1957 and retired in October 1990. "My priorities will be what people see as everyday problems, which cut across every neighborhood."

Jordan's victory over Agnos was a surprise to many observers. When Jordan and Agnos first squared off in November, Jordan came in first with 32 percent of the vote to Agnos's 28 percent. Even so, Agnos was favored to win the runoff, for which nearly 50 percent of eligible voters turned out.

Observers said many voters in what is known as the nation's most liberal city appeared to cross over to support the more moderate Jordan, who received stronger support than expected in minority and gay neighborhoods. Others said the vote reflected a nationwide predilection on the part of disenfranchised voters to "throw the bums out."

"It's an attack on the status quo that has nothing to do with ideology," said Clint Reilly, who was a consultant to Jordan's campaign. "The problem for Agnos was he tried to see everything through an ideological lens rather than a lens of common sense."

Agnos had contended that Jordan would alienate the city's gay and minority communities, but in his victory speech, Jordan, flanked by black and gay supporters, said he would be "reach-

ing out my hand in friendship" to all city residents.

Jordan was appointed chief in 1986 by Mayor Dianne Feinstein. He oversaw the department during a stormy five-year period in its history, a period that included Jordan's having to force his brother Jack from a deputy police chief's job in November 1989. The events that led up to Jack Jordan's dismissal included an incident in which a labor leader was beaten by club-wielding police during a labor protest and criticism about police response to a demonstration by AIDS activists that deteriorated into a police riot. [See LEN, Nov. 15, 1990; Jan. 15, 1990.]

Frank and Jack Jordan reportedly have not spoken to one another since Jack Jordan left the department.

## All that slithers

First, it was pit bulls. Now police may well be asking, what might be next?

Philadelphia narcotics officers were given such pause for thought after their recent confrontation with a 10-foot-long python. The slithering reptile was discovered Nov. 7 wrapped around crack vials and glassine bags stashed under a mattress during a police raid on a crack house.

"The way he was screaming, I thought he'd found a mother lode of coke," said police Lieut. John Gallo, speaking about the reaction of officer Jimmy Coolen upon discovering the snake. "But then, I see this huge snake slithering out from under the mattress, flicking its tongue, heading toward us."

Police seized the snake and the crack. The snake was taken to an animal shelter.

Pythons are not poisonous—they crush their prey using their constricting coils—but employing the intimidating reptiles to guard drug stashes is part of a trend, according to David Chiszar, a University of Colorado herpetologist, who told The Associated Press that some drug dealers also favor small crocodiles to guard drugs.

"The presence of large or highly venomous serpents or aggressive crocodilians could certainly be a deterrent to anyone entering a drug establishment," Chiszar observed.

The animals are usually used to scare off thieves or rival dealers, according to Chiszar, who added that he has heard reports of rattlesnakes, cobras and vipers being used by drug dealers to protect their wares. In one incident, he said, police raiding an Oxnard, Calif., crack house netted six Indian cobras, two Eastern diamondback rattlers, three black-tailed rattlers, four red diamond-back rattlers and one prairie rattler.

## The beat goes on

Four New York City police officers accused of brutally beating a 12-year-old epileptic boy have filed a \$1-million countersuit, saying their confrontation with the child left them "sick, sore, lame and disabled."

According to court papers filed in State Supreme Court in the Bronx, police officers Donnard Huneke, Lawrence Moore, Esteban Solares

and Cliff Acosta "suffered and still suffer great pain and anguish" as a result of the December 1989 incident.

The family of Gabriel Rodriguez is continuing a two-year legal battle against the officers and is seeking \$5 million in damages. Rodriguez was severely bruised in the incident, and his family claims he has suffered brain damage.

"We are appalled by the police counterclaims," Peter Wessel, an attorney for the family, told New York Newsday. "We have a 12-year-old epileptic boy known by his church, schools and family for his docility...who was beaten up by a group of burly police officers."

A dozen people who witnessed the incident described the beating of Rodriguez, who is 5-foot-2 and weighs 120 pounds, as unprovoked. The four officers claim they stopped their patrol on a Bronx street where Rodriguez allegedly assaulted them "wilfully, maliciously, and with intent to cause defendants severe physical harm." According to Newsday, the court papers do not detail the officers' injuries.

A Bronx grand jury indicted the officers over a year later but the charges were dropped in June when an assistant district attorney notified the Bronx Criminal Court that she had failed to properly present the charge. A second grand jury cleared the officers after a "mystery witness" was turned up by the police union. The identity of the witness was never revealed.

## Hard to swallow

In recent years, U.S. Customs agents have noted a trend in which drug couriers attempt to smuggle narcotics into the United States by swallowing condoms or balloons stuffed with illegal drugs—sometimes with fatal results. Now it appears the technique has been adapted in order to smuggle drug-related cash out of the country.

Last month, Customs officials in New York arrested a woman who had attempted to smuggle \$53,000 in U.S. currency out of the country, \$6,000 of which she had ingested in balloons. James Healy, a Customs spokesman at Kennedy International Airport, told LEN the arrest was the first involving money "swallowing."

Vivien Mensah, a resident alien from Ghana, was arrested Nov. 14 as she was about to board a KLM flight bound for Ghana. When asked by inspectors how much money she was carrying out of the country, she stated she had \$9,000. A search of her handbag revealed \$24,000 concealed in packages of bed sheets. An additional \$22,400 was found in two bottles of shampoo packed with 45 balloons stuffed with \$100 bills.

Following the discovery, Mensah told Customs inspectors she had ingested numerous balloons, which was confirmed by an x-ray. A body cavity search also revealed cash-stuffed balloons in her vagina. The rest of the cash was retrieved after it passed through the woman's system.

Customs investigator Robert Annunzio told LEN that the agency is still trying to pinpoint the origin of the cash and how Mensah happened to be carrying it. She was charged with failing to report the currency, and was released after posting \$100,000 bail.

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Supt. LeRoy Martin  
Don't count me out yet

outside search would hurt morale.

"I disagree," Daley said in response to Martin's remarks. "You do a nationwide search. Everybody should apply for the position." Daley added that he was not considering retaining Martin as a civilian chief. The Tribune, citing unnamed City Hall sources, reported that Daley had grown tired of Martin's off-the-cuff remarks.

Inquiries by LEN about the reports have only added to the confusion over Martin's future. Police sources say no details have been released about Mar-



# As budgets shrink, reserves grow in appeal

In these days of tight budgets and increasing demands for police services, there seems to be a clear trend toward

## BURDEN'S BEAT

By Ordway P. Burden

greater use of unpaid reserve and auxiliary officers. That's the perception of Richard B. Weinblatt, a reserve sergeant in South Brunswick, N.J., who for the past two years has been running the Center for Reserve Law Enforcement, a clearinghouse for information about law enforcement volunteers.

He estimates that there are at least a quarter-million reserves and auxiliaries around the country. "That's a fairly conservative figure," he opined. "I believe there are more." It is not known how many police agencies have volunteer contingents but there are some in nearly every state.

Reserve and auxiliary officers serve in all sorts of capacities in police agen-

cies. The vast majority are on uniformed patrol, but a few work undercover and many take part in criminal investigations. Weinblatt said that from 90 percent to 95 percent carry firearms. In some agencies they must pay for all equipment and uniforms; in others, uniforms are furnished but the volunteers must pay for their weapons.

The terms reserve and auxiliary are used more or less interchangeably in most parts of the country. But in Florida the functions and training requirements are different for reserve officers than for auxiliaries. The reserves take the same amount of training as full-time personnel and have the same law enforcement authority. Auxiliaries, on the other hand, get less training and must be supervised by a full-time officer. Florida, incidentally, is one of six states that use reserve and auxiliary officers in their state police forces. The others are Arizona, Connecticut, New Hampshire, New Mexico and Ohio. Florida has by far the most volunteers, with



An ATV (all-terrain vehicle) Division is just one unit of the Fulton County, Ga., Sheriff's Reserve, which is one of the largest police reserve programs in the nation, with 340 trained reserve deputies.

## 14 more added to accreditation honor roll; one agency falls aside

A record number of law enforcement agencies were accredited at the November meeting of the Commission on Accreditation for Law Enforcement Agencies, bringing the total number of accredited agencies nationwide to 195.

Among the 14 agencies that received accreditation at the Savannah, Ga., meeting were: the Lee County, Fla., Sheriff's Department; the Port St. Lucie, Fla., Police Department; the Volusia County, Fla., Sheriff's Department; the Moultrie, Ga., Police Department; the Lombard, Ill., Police Department; the Willowbrook, Ill., Police Department; the Duluth, Minn., Police Department; the Gaston County, N.C., Sheriff's Department; the Jacksonville, N.C., Police Department; the Kent State University, Ohio, Police Department; the Bethany, Okla., Police Department; the College Station, Texas, Police Department; the George Mason University, Va., Police Department; and the Renton, Wash., Police Department.

Eleven agencies were granted reaccredited status: the Phoenix Police Department; the Greeley, Colo., Police Department; the Rome, Ga., Police Department; the Palatine, Ill., Police Department; the Danvers, Mass., Police Department; the Greensboro, N.C., Police Department; the Englewood,

Ohio, Police Department; the Alexandria, Va., Police Department; the Herndon, Va., Police Department; the Clark County, Wash., Sheriff's Office; and the Virginia State Police.

The Montgomery County, Ohio, Sheriff's Office, which was up for reaccreditation, remains an accredited agency pending a follow-up evaluation. The Plainsboro Township, N.J., Police Department, also up for reaccreditation, allowed its accreditation to lapse, according to CALEA spokeswoman Beth Denniston.

Florida continues to lead the nation in the number of accredited agencies with 92, followed by Ohio with 81; Illinois, 68; Texas, 64; Massachusetts, 58; Virginia, 42; Georgia, 38; Colorado, 27; Connecticut, 26; and New Jersey, 25.

Agencies attain accreditation by proving that they meet approximately 850 state-of-the-art standards that address policy and procedures, administration, operations, and support services. Accreditation is conferred after self-assessments by the agencies and an on-site assessment by a team of law enforcement professionals from outside the state.

CALEA's next meeting will be held in Tucson, Ariz., in March.

nine reserve officers for its Highway Patrol and 700 auxiliaries who ride along with paid troopers.

The Commission on Accreditation for Law Enforcement Agencies (CALEA) also sets different standards for reserves and auxiliaries. CALEA requires that reserves have the same training as full-time officers, wear the same uniform, and have the same authority and duties. Auxiliaries may have less training and must not be armed, even with batons, and have no more law enforcement authority than any other citizen.

The upshot of CALEA's position is that some police agencies seeking accreditation have had to end or sharply curtail their auxiliaries to meet the standards. Weinblatt quotes Chief Cornelius J. Behan of the Baltimore County, Md., Police Department as saying, "The standards have cut down my auxiliary police tremendously and hurt us. Chief Behan, an advocate of accreditation, said he expects to ask CALEA to change its standards to accommodate local needs for volunteer officers.

Despite the losses due to CALEA's standards, Weinblatt believes the number of reserves and auxiliaries is rising. Some people volunteer because it gives them a foot in the door of law enforcement as a career. They get a firsthand view of the job, and many of them do in fact become full-time officers, although not necessarily in the agency that trained them. Others are people who simply want to serve the community, with no thought of it as the road to a career. Weinblatt himself falls into that category. He is a former public relations executive who has been a law enforcement volunteer for years. In addition to

serving with the South Brunswick auxiliary, he is also an auxiliary officer with the New York Police Department, and twice a month commutes four hours each way to do a tour of duty with the Spencer, Mass., police auxiliary.

Full-time officers and police unions have long had a somewhat jaundiced view of auxiliaries. There were concerns that the use of volunteers might cut opportunities for overtime and that volunteers might not be well trained. "Old-timers still have some animosity," Weinblatt said, "but younger guys don't have a problem with it."

The Center for Reserve Law Enforcement aims not only to be a clearinghouse for information about volunteers in law enforcement but to enhance awareness of the value of reserve and auxiliary units in police agencies. On the center's advisory board are 10 leaders in the field: Daniel Brandt, secretary-treasurer of the Iowa State Reserve Law Officers' Association; Timothy B. Burgess, reserve inspector with the Washington, D.C., Metropolitan Police; Harold L. Butterfield, auxiliary colonel of the Florida Highway Patrol; Mel Kalkowski, reserve captain of the

Anchorage, Alaska, Police; James C. Lombardi, president of the California Reserve Peace Officers Association; Bill Martin, assistant managing director of the Texas Reserve Law Officers Association; Edgar F. Maybanks, chief commandant of London's Metropolitan Special Constabulary; John S. O'Brien, president of the Oregon Reserve Peace Officers Association; Don Stutman, auxiliary major with the Baltimore County, Md., Police; and L. Ray Vickers, Chief of Reserves of the Harris County, Tex., Sheriff's Department.

Police executives who want information about reserve and auxiliary programs should contact: Center for Reserve Law Enforcement, 41 Arrowwood Lane, Monmouth Junction, NJ 08852-2018. Phone: (908) 329-8924.

(Ordway P. Burden is president of the Law Enforcement Assistance Foundation and chairman of the National Law Enforcement Council. He welcomes correspondence to his office at 24 Wyndham Court, Nanuet, NY 10954-3845. Seymour F. Malkin, the executive director of LEAF, assisted in the preparation of this article.)

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### Can you help a fellow LEN reader?

A publication in progress is looking to bring together different codes or statements of principles of law enforcement ethics, along with details about the development and sources of such codes and a discussion of their purposes. LEN readers, whether in the U.S. or abroad, who may have access to information about such value statements are asked to contact: Prof. John Kleinig, Department of Law and Police Science, John Jay College of Criminal Justice, 899 Tenth Avenue, New York, NY 10019. Phone: (212) 237-8415. Fax: (212) 237-8901.



## Other Voices

A sampling of editorial views on criminal justice issues from the nation's newspapers.

### Campus crime and the Constitution

"A Federal judge in Washington has made clear what common sense should have dictated a long time ago: A law designed to keep university students' grades confidential does not give schools the right to withhold campus crime reports from the public. Students who live in a university setting — and the surrounding community as well — have every right to know what crimes are occurring around them. The battle over campus crime records has been waged at several schools, including Southwest Missouri State University. There, officials were ordered earlier this year to make such information available to the campus newspaper. The university had refused to open the crime records to the paper, claiming it stood to lose Federal money if it did so because the Buckley Amendment, a 1974 law that made student records confidential, covered the crime reports as well. U.S. District Judge Russell G. Clark ruled against the university in that case. Now, a judge in Washington has gone a step further and ordered the Department of Education to stop threatening colleges with a cutoff of Federal funds if they release crime records. Judge Stanley Harris said the department offered no justification for keeping such information. 'Government must assert some interest that outweighs the public's First Amendment right to receive information,' he said. Clearly, no such overriding interest exists. Crime on campus may hurt a college's image, and no school wants that. But given a choice between constitutional rights and an artificial squeaky-clean image, the Constitution must win every time."

— *The St. Louis Post-Dispatch*  
Dec. 5, 1991

### 'Son of Sam' laws, rightly reversed

"Alarmed that the accused serial killer David Berkowitz might reap millions for writing about the 'Son of Sam' murders, New York State decided in 1977 to seize literary and movie proceeds from accused or convicted criminals. The Legislature, mindful of the First Amendment problems of penalizing expression, made such seizures part of the state's victim compensation system. That was clever, the Supreme Court now rules — but unconstitutional. The Court said that New York couldn't single out speech on a particular subject, crime, for an inhibiting government tax. The Court is right. New York and more than 40 states with similar laws can now revise them to accomplish their stated purpose. It's obnoxious that some felons can make crime pay with their memoirs. But governments are far from powerless. They may extract fines and forfeitures and escrow gross estates of felons to benefit victims, as long as they don't zero in on speech. Indeed, if this decision had terminated victims' compensation systems, Justice Sandra Day O'Connor would not have delivered it. Nor is the Court glorifying crime when it recognizes that a substantial body of literature by prisoners and former prisoners might never be published as long as 'Son of Sam' laws are on the books. Laws like New York's deserve to fall if they invite government to pick and choose among ideas and the people who express them."

— *The New York Times*  
Dec. 12, 1991

### Children & confrontation

"A ruling by the Oklahoma Court of Criminal Appeals may have devastating effects on cases involving sex crimes against young children. The decision bans or severely restricts the use of videotaped testimony by young sexual assault victims. The court says a law allowing children to make statements outside the courtroom, and thus avoid facing their attackers, deprives the defendant of the constitutional right to confront an accuser. This could shatter protection videotaping provides against the trauma of reliving the often horrible details of a nightmarish ordeal. It severely hampers the prosecution of a number of defendants named in pending cases around the state. Prosecutors acknowledge some defendants 'will walk' as a result. The court ruling overturned the 1987 rape conviction of an Oklahoma City man because prosecutors used a 7-year-old girl's videotaped testimony during the trial. The child also took the stand and testified against the defendant, but defense attorneys chose not to cross-examine her. [Assistant Attorney General Diane] Hammons is filing for a rehearing by the criminal appeals court. If that is rejected, then the attorney general should appeal the ruling to the U.S. Supreme Court."

— *The Sunday Oklahoman*  
Dec. 1, 1991

## Letters

To the editor:

I am writing in regard to your recent choice of editorial cartoons. In the past, I have written to you objecting to a cartoon which ridiculed the National Rifle Association. Now, in the past two consecutive issues, I see that you have seen fit to run anti-NRA cartoons once again.

Whether you want to believe it or not, the right of the average citizen to keep and bear arms is a vital right in this country, even in this day and age. The NRA is there for the many gun owners of this country, fulfilling a variety of roles. They educate our youth on the proper methods of handling firearms. They sponsor a multitude of target-shooting events. They train our law enforcement personnel on firearms-related matters in dozens of classes a year. And yes, they are there to protect our gun-owning rights when they are attacked through the legislative process.

Anti-gunners want to ban .25, .32 and 9mm ammunition. What would that accomplish? They made a stink about "cop-killer bullets," "Teflon bullets," "Saturday night specials," etc. Now they have switched to new "evils," such as high-capacity magazines, and rifles which might appear

different to the average untrained citizen who knows nothing of firearms other than seeing a Western movie or two. The NRA has been right to resist these ill-planned attacks on our basic American right.

I am the first to admit that abuses do occur. There are a few deranged minds out there who gain access to firearms for the wrong motives. However, using a few well-publicized incidents to ram through anti-gun legislation is not in the best interests of the general American public. The anti-gunners say they are trying to "protect" us. The end result will be that the American public will be stripped of its primary means of defending itself against the criminal and totalitarian elements in our society.

If you were to ask the average street cop in our society if the general population should be disarmed, you would find that they are against gun control. If you profess to be a law enforcement publication, you should more accurately reflect the views of your readers.

Although it will be a losing battle in all probability, I am glad that the NRA is out there fighting for all of us. I am proud to say that I belong to the

Crosby:

## When it comes to some police duties, tell it to the chaplain

By James P. Crosby

No matter what the vocation in life in which we find ourselves, and no matter how truly dedicated to it we may be, there will be those aspects of the work we simply do not enjoy.

This may be the result of a lack of adequate training in a given area. Feeling discomfort in an experience can quite legitimately create a lack of desire to encounter the same situation again. And, to be sure, there may well be things one simply does not want to do. We realize the task must be performed, but "not by me." Personally acknowledging a degree of acrophobia, I make a point of avoiding negotiation with persons on bridges. I am sure we can each add our own list of scenarios and conditions to avoid. This is no failing in any of

family was a son living some 2,000 miles away. The only information on the son's location was his phone number. I called information for the area code, learned the name of the city and got the phone number of the local police department. A call was then made to the police, explaining the situation and asking them to cross-reference the phone number for an address and then to please send someone to inform the man that his mother had died. I returned home thinking the matter had been handled the best we could under the circumstances.

Shortly after my return home the phone rang. The dispatcher told me I had better call the son, as he had called "most upset." All the police had done was phone the man and tell him to call the

## "There has to be a better way of informing a son that his mother has died."

us. Rather, it is a matter of recognition of what we can do comfortably and what we can't.

However, those situations of personal discomfort still exist and must be answered. High on the list for most in law enforcement is the required notification of next of kin when a death occurs. Someone has to go and tell a perfect stranger that a person they love is dead. For law enforcement, most of these deaths are unexpected by the person on whom you must call. Murder, suicide, traffic fatality and the like rarely provide time for the recipient of the news to have made advance psychological preparation. A common partner with grief in such cases is shock. It is into this environment the death message is to be delivered.

But what is the quality of that response? This is the end to which I address myself.

To illustrate: It was early on a midweek evening. Our complainant, as was her normal practice, went to the apartment next to her own to check on the elderly lady who lived there. Entering the apartment she found the lady lying on the living room floor. The neighbor dialed 911, a rescue unit responded, and the woman was pronounced dead on the scene. The deceased's only

Jacksonville police chaplain for an emergency message.

There has to be a better way of informing a son that his mother has died.

Notification of next of kin is a duty that, like it or not, every agency has to face. Like everything else, we can either be part of the solution or part of the problem. Yet there seems no end to the excuses that can be offered for poor response. Many agencies are in a "budget crunch" and suffer manpower shortages as a result. Those people who are working need to spend their time and effort on the higher priorities of protecting the lives and property of the community. Having a police officer busy on a death notification that can easily involve an hour or more is viewed as poor management of existing resources.

Workload is a constant problem for law enforcement. Due to a combination of an ever-increasing crime rate and more calls from folks who simply don't know any other place to turn with a problem, workload stress mounts at all levels of law enforcement. Add to this the reality that half of all police agencies in the United States have 10 or fewer sworn officers, 987 having only one sworn officer and only 34 agencies in the entire nation have 1,000 or more, and the view of how shorthanded we are becomes that much clearer.

We simply cannot give up and make phone calls. That's no way to treat people with dignity or compassion in their time of personal need. A death notification needs to be made in person in a kind, compassionate and supportive way. Perhaps a guidance counselor from the local school system can be encouraged to volunteer. An established police chaplaincy program is another valuable resource — one that is too often overlooked. The police chaplain, by his or her very nature, is a part of the bridge between the support and enforcement arms of the police profession. If there is no established police chaplaincy program, the local clergy or ministerial associations may be willing to provide volunteer help. In time, this could lead to a police chaplaincy program. At the last, utilization of local clergy puts trained people in a most sensitive role while also creating a cooperative atmosphere between clergy and police.

Our death notification was handled. One can't help but wonder, though, how many times the public we serve is treated this way. Both they and the police deserve better.

JAMES ROLFE  
Tompkins County Sheriff's Department  
Ithaca, N.Y.

The Rev. James P. Crosby is a full-time chaplain for the Jacksonville, Fla., Police Department.



# Small agencies feel the recession's bite

Many incumbent politicians were routed in elections last month in what observers said was evidence of a "throw the bums out" mentality by tax-laden voters grown frustrated with the status quo. Voters in Maine were no exception, and those in Stockton Springs went so far as to cut off funding for the town's one-man police department, effectively shutting it down.

As a result, former Stockton Springs Police Chief Theodore F. Reed is now out of a job. Reed told LEN that voters — hardened by a tough recession and angered over rising taxes — put him out of business by refusing to approve funds that would keep the tiny Police Department running.

"I don't feel good," said Reed, 56, in an interview shortly after the 372-to-358 vote on Nov. 5. "I'm without a job and I've been in law enforcement for 17 years total. It gives you kind of a squimmy feeling. It's not like you can blow in anywhere and pick up a job. It's going to be rough."

The end of the Stockton Springs Police Department was several months in the making. Reed was already subsidizing on donations when the elections rolled around, having had the department's \$29,000 budget — which covers Reed's salary and gas for his cruiser — cut by \$7,000 earlier this year.

"There wasn't even enough [funds] voted to cover my wages. Then we ran short and then we went on donations. They were going to lay me off and people didn't want me laid off. So they decided to fund themselves and put this on the referendum, which they did," said Reed. "I even had people I had arrested putting donations in the can."

While some may argue that the Penobscot Bay town of about 1,300 residents can make do without a full-time law enforcement officer, Reed said there was plenty of crime to keep him busy. Responding to burglaries, firearms violations, public drunkenness and

assaults made up the bulk of his duties. Reed, who became police chief in 1987, estimated he made 55 arrests a year.

Reed predicted that crime will go up in the area. "By Jesus, when you do something like this, you're looking for trouble. And the way things are going now, crime is definitely going to go up. There's no way in hell it's not."

Stockton Springs residents will now have to contact Waldo County sheriff's deputies or the State Police to report crimes or request assistance. That doesn't please Sheriff John Ford, who said the arrangement will pose an "added burden" to his agency of six full-time deputies and about 15 part-time deputies who patrol 24 towns. Ford told LEN that he was already \$77,000 over budget this year. "I certainly don't need to take on another town," he said.

It may be premature to say that the hard economic times are potting the survival of the nation's smallest law enforcement agencies in jeopardy, but Ford and others interviewed by LEN say that other small towns may well see fit to follow Stockton Springs' lead.

"The economy here in the Northeast is so bad...and that's filtering back down to the local level. The county property taxes and the town taxes have gone up so much that people are just starting to balk at [paying them]. It's something I think we're going to be seeing a lot more of," said Ford.

It happened once already in Maine this year when residents of Lebanon, a town near the New Hampshire border, voted to shut down its seven-member police force last June. York County sheriff's deputies and State Police troopers now provide law enforcement services to the town's 4,300 residents. Sheriff Michael E. Bemis said his 10-deputy agency has responded well to the added burden. At any given time, however, two deputies police a 500-square-mile area with a 40,000 year-round population that balloons to 80,000

during the summer, he said.

"It was disturbing to us but it hasn't created the substantial impact that we expected. Neither do I want to say that we haven't been overburdened. Certainly our resources were already stretched — and that just made the situation worse," said Bemis. The Sheriff said he has proposed that Lebanon officials enter into a contract with his agency by which a number of deputies would be specifically assigned to handle the town's law enforcement needs.

The dissolution of the 15-year-old Lebanon Police Department was also preceded by cuts in its funding, said former acting Police Chief Jeffrey Houston, who headed the department at the time of its demise. Now "full-time unemployed," Houston blamed rising voter discontent over property taxes as the reason for the department's closure.

"I think it was strictly property-tax relief," he said, noting that Lebanon is a bedroom community for the nearby larger towns of Rochester, N.H., and Sanford, Me. "Within the town of Lebanon, there are no businesses or corporations that can supply any relief from the property tax. What the individual gets for services in the town he pays directly out of his pocket in property tax. And I think it got to the point where the citizens of Lebanon were just looking to make some cuts."

State Police officials say the recent events in Maine have not affected them severely but they and other police officials worry that the actions taken by Stockton Springs and Lebanon residents could become a broader trend.

"Obviously, if enough of this happens, it would affect the State Police," said Lieut. Col. Alfred Skolfield Jr., the agency's Deputy Chief. "It hasn't affected us a great deal, but one thing we should remember is that the state [funding] is being cut back as well."

Other officials noted that residents

who vote not to fund their local law enforcement agencies may ultimately pay a larger price — in the form of increased crime. "Everybody's got to make some tough decisions on how their tax dollars are going to be spent, but I don't think it's a necessarily good decision to be doing away with police departments," said Michael J. Reidy Sr., the police chief of Wiscasset, Me., and president of the Maine Police Chiefs Association. "As they strap us with further budgetary restraints, crime is not going to stop just because we've hit bad times. If anything, it will increase."

Sheriff Bemis told LEN that he is concerned that other small communities in Maine may follow Lebanon's example and seek to abolish their law

enforcement agencies. "There's obviously a real danger in that. I feel that every community of a certain size has a responsibility to provide some law enforcement. They have that responsibility to their citizens but they also have that responsibility to other communities so that no one community becomes a breeding ground for crime."

As for Reed, he told LEN he plans to continue his law enforcement career, but he is concerned that his age may make his job search difficult. "I'm sure I'll come up with something," he said. "I'm pretty well educated...and I've got all of the credentials that I need. I am a certified chief so I should be able to go anywhere. But once you get over that 5-0, they kind of look at you."

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## Wording flaws send victims' rights law back to square one

Arizona Gov. Fife Symington signed a bill on Dec. 4 to repeal language in a new victims' rights law that would have prohibited the release of any information about a crime victim's whereabouts. The bill also delays the effective date of a provision of the law that allows victims to sue for liability for violations of confidentiality requirements.

The move came after both proponents and critics alike voiced concern that the law's language was too broad and would have an unfair impact on the state's courts. Efforts are now underway to rewrite the repealed portions of the law, according to those familiar with the legislation. The rewritten portions would have to be approved by the Arizona Legislature and signed by Symington.

"What we'd like to do is find a middle ground — something that will protect and safeguard the victim without making it such a burden to the courts," said Debra Thomas, coordinator of the Victims' Rights Implementation Project at the State Attorney General's Office. She told LEN that under the repealed portions of the law, Arizona courts would have had to review thousands of documents and delete any

information identifying victims — a daunting and expensive task.

The effective date of the portion of the law that allows victims to sue and recover damages from agencies which unlawfully release information about them was pushed back to Oct. 15, 1992. The current bill specifies that a victim can make no liability claims for violations that occurred before Oct. 15, 1991.

"Realistically, you need time for the agencies to get policy and procedure working before they should be answerable in a court for liability purposes," observed Thomas.

While the victims' rights legislation received broad-based support when it was passed in a November 1990 voter referendum, a furor erupted over the two provisions of the law that were repealed. Thomas said that insurance companies took issue with that provision as well because they would have to get signed release forms from victims in order to get police reports about traffic accidents. Newspapers also objected to the language, contending its implementation would lead hamper the gathering of information.

Objections came from the state's judicial system as well. Prior to the

special legislative session called to repeal questionable language, Arizona Supreme Court Justice Frank X. Gordon Jr. warned of a "wholesale shut-down on releasing public documents" by the courts if the language was not repealed. Gordon, noting that the law did not provide a "grandfather clause" that exempted previous records from compliance with the measure, said courts would have to "go back to statehood to modify the files, and that's impossible."

"Imagine the nightmare of that [court] clerk who thinks they've got a personal liability issue for release of victim information, who would have to go through [reports and documents] and identify everybody who might be a victim and delete any locator information," including the names, addresses and phone numbers of employers and immediate family members, added Thomas.

Fran Wessels, the executive director of the Arizona Newspaper Association, said the group opposed implementation of the privacy sections of the law because the language was so broad it might have allowed victims to sue if

Continued on Page 11



# Anti-female bias charge upheld in NYC

Fifteen years after female officers filed their first complaints about widespread sexual discrimination in the New York City Police Department, the city's Human Rights Commission has ruled that the agency discriminated against women in hiring, assignments and promotion during the 1970's.

On Nov. 8, the commission ruled in favor of 124 women who filed sex discrimination complaints, some as far back as 1976. The decision was so long in coming that four of the plaintiffs have died in the years since the original complaint was filed. Most have retired, but some are still working.

"Justice delayed in this case is justice denied," said Peggy Hopkins, a 50-year-old retired detective who was among the first women to file suit 15 years ago.

Human Rights Commissioner Dennis DeLeon affirmed the decision of Administrative Law Judge William Kirchgaessner, who ruled in May that the Police Department discriminated against women in hiring, layoffs, scheduling and by restricting the kinds of assignments they received. "Our handling of the case was inexcusable," said DeLeon, who blamed a lack of resources available to the commission for the delay.

DeLeon's affirmation of the judge's ruling paves the way for the plaintiffs to press for millions of dollars in damage claims against the city. The city's Corporation Counsel is reviewing the decision, and according to spokeswoman Lorna Goodman, may appeal it. If that occurs, the case could further be dragged out "for an immense period of time," said DeLeon. "I can guarantee if it were filed today you wouldn't see near the time this case took," said de Leon.

"They thought maybe we'd forget, give up or die. It's been very frustrating all these years," one current female lieutenant, who declined to be identi-

fied, told The New York Post.

The Human Rights Commission found that women officers were prohibited from patrol assignments in radio cars, were never given regular assignments and were barred from participating in plainclothes operations. Nor were they chosen to work in the department's elite units such as hostage negotiation or emergency services.

The commission noted that until 1974 the department held separate exams for women who wanted to work as police officers. The exam policy effectively limited the number of women on the force to a quota of 1 percent to 2 percent.

During the 1975 fiscal crisis, when New York City teetered on the edge of bankruptcy and responded by laying off thousands of city workers, including police officers, 55.3 percent of the female police officers were furloughed, compared to only 8.2 percent of male officers. Those women who remained were forced to serve as "matrons" guarding female prisoners.

Women were barred from serving in New York City's other two police forces, the Transit Authority and the Housing Authority Police, the commission said. Those hired by the NYPD were assigned only to 10 of the 73 precincts then in existence.

Taken together, Kirchgaessner found that the practices affected promotional opportunities for women in the department. The department has since eliminated all of those practices and figures released by the department show that the fortunes of women in the agency have improved significantly, although many say privately that sexism still runs rampant in the department.

As of Aug. 31, NYPD statistics show that out of a total force of 27,081 officers, 3,711 — 13.7 percent — are women.

The figures also show that few women have managed to reach the upper ranks of the agency. There are 198 female sergeants or 6.9 percent of a total of 2,879. Forty-eight women are lieutenants and comprise 4.3 percent of the total of 1,125. There are three female captains out of a total of 283. Only one of the department's 51 inspectors is female. The department also has 514 female detectives.

"It's a huge case," said attorney Kenneth Gordon, who represented the

group, in an interview with The Post. He said it was "premature" to estimate how much money in damages might be involved but added that the women could receive back pay and pension benefits. Some may receive damages for mental anguish and those still in the agency might be given promotions or special assignments. Heirs of the women who died may also be eligible to collect damages, he added.

If a recent case filed by minority officers against New York City is any

guide, the plaintiffs may be awarded a bundle. In that case, the City of New York is expected to pay up to \$10 million in damages to black and Hispanic officers who were laid off during the 1970's fiscal crisis. [See LEN, Dec. 31, 1990.] The suit, filed in 1975, contended that 369 black and Hispanics police officers would not have been laid off if discriminatory hiring practices had not been in place. Payment of damages — one plaintiff received an award of \$142,000 — began last March.

## LAPD settles bias complaint, agrees to shed "lily-white" look

The Los Angeles Police Department will hire and promote more black, Hispanic and Asian-American officers as part of a settlement reached last month in a two-year-old discrimination complaint filed with the state Department of Fair Employment and Housing.

The Los Angeles City Council announced the agreement after it voted 10-to-1 in an executive session on Nov. 5 to approve the settlement. The state agency had accused the Police Department and the City of Los Angeles of holding back minority officers through biased, inconsistent promotion proce-

dures and inadequate affirmative-action plans.

"The city looked itself in the mirror, did not like what it saw and decided to set a new course," Councilman Zev Yaroslavy told The Associated Press after the vote. "It is unconscionable a city like ours should be so lily-white at the top."

Only seven Hispanics and seven blacks hold positions that rank above lieutenant in the Police Department, with the remaining 64 posts held by whites. No Asian-Americans appear in that category. Police figures show one

black among its seven deputy and assistant chiefs. Of the department's 8,300 officers, 3,000 are minorities.

The settlement should be approved by a Federal judge by the end of the year, according to Assistant City Attorney Robert Cramer. Police Chief Daryl F. Gates called the accord "one we can live with."

The department has been under intense scrutiny and has been battling allegations of racism this year after the nationwide broadcast of an amateur videotape showing white police officers beating a black motorist in March.

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# IACP circles its wagons over Japan gifts

Continued from Page 1

on behalf of Kiriya to attend the dedication of a new temple in Niigata, about 170 miles northwest of Tokyo. NEC officials also met the IACP group at the airport and escorted them on a train to Niigata for the ceremony. Chase said the NEC officials who accompanied the IACP leaders acted as interpreters and guides for the group "to bridge the cultural gap there."

Kiriya reportedly handed out paper gift bags to the IACP officials at the dedication ceremony. Wells told the newspaper he did not know what the bags contained until some IACP leaders called him to their hotel and told him they wanted to return the money. "They were very, very disturbed," Wells recalled. He blamed "a difference of the cultures and a misunderstanding" for the incident. "These presentations were considered customary practice in that country," IACP's statement added.

The amounts of cash in the bags varied, according to the Times-Dispatch. The bags given to Suthard and three other officials contained trinkets and 30 crisp new \$100 bills. Brown's contained \$10,000 in U.S. currency and

an additional 300,000 yen, or \$2,123.70.

Wells said that Kiriya gave the cash to the officials to show his appreciation to the association for helping his foundation to identify families of slain law enforcement officers who needed financial aid. He added that Kiriya wanted to help the U.S. families because U.S. occupation troops had been kind to the Japanese people in the aftermath of World War II.

Wells added that the foundation had distributed more than \$178,000 to U.S. families in what he called "a very important and worthwhile endeavor."

Wells added that Kiriya gets his money from followers who are successful businessmen, and that, to his knowledge, none of the businessmen are NEC employees.

The Times-Dispatch said that at the time of the Japan trip, NEC donated \$300,000 to the IACP for a leadership institute to train law enforcement officers. But at the IACP's annual meeting in October, the organization's governing board voted to return the \$300,000, and also rescinded honorary memberships and awards to the president of NEC, Tadahiro Sekimoto, and an adviser to Sekimoto, Hiroshi

Hitotsuyanagi.

Chase told LEN that Hitotsuyanagi serves as a consultant to NEC and is "some sort of an adviser to Agon Shu. In that respect, he has some relationship with the Agon Shu. But that's something in his personal life, not something that's connected to his position with NEC."

The honors had been bestowed upon the NEC officials for "extraordinary contributions" to law enforcement, according to an IACP publication. Suthard told the newspaper that Hitotsuyanagi accompanied IACP officials during the Japan trip.

"I think IACP is concerned about its relationship with NEC," said Suthard, who added that after the discovery of the money, the IACP leaders "had a big question as to whether there was any motive behind it."

In its statement, the IACP said the cash gifts were "returned to the presenter by each recipient on his own initiative."

"We all felt the proper thing to do was return it. I mean there was never any question about it," Suthard told the Times-Dispatch. Three IACP officials — Gruber, Vaughn and Kleinknecht — returned the money at the hotel. Brown and Suthard returned the cash later — Brown because he left for the airport to catch a flight to Madrid immediately after the temple dedication. Suzanne Trazoff, deputy commissioner for pub-

lic information at the New York City Police Department, said that Brown discovered the contents of the bag at the airport. When he got to Madrid, he put the money in a safe.

Upon his return to New York, Brown called IACP and told its executive director, Dan Rosenblatt, to pick up the cash. The IACP put the money in its bank account, then wrote a check. Trazoff said she did not know to whom the check was issued, and IACP deputy director Martin Cromartie told LEN that IACP officials had no further comment on the incident.

At its October meeting, the IACP's Board of Directors and the Executive Committee discussed the trip and determined that "no rules or policies of the organization had been violated nor had any member of the delegation violated any of the requirements of the association's ethical code. The trip was found to be fully appropriate and funds

provided to cover travel expenses were accepted. The fact that funds offered to board members had been returned also resulted in a final determination that no impropriety had occurred."

As to the "separate matter" concerning NEC's \$300,000 contribution to set up a Police Leadership Institute within the IACP, the statement said that "at no time...was an endorsement of any NEC product sought or offered." The contribution was returned — along with any interest earned from it, the statement added.

Early this month, IACP officials meeting in Atlanta discussed the Japan trip and voted to accept no gifts without approval from its Executive Committee. And Cromartie told LEN that a subcommittee was appointed to implement changes regarding dealings with foundations. A moratorium has been placed on the acceptance of gratuities by IACP staff, he added.

## Suthard decides to pack it in; A-G to probe conflict-of-interest

On Dec. 17, IACP first vice president Robert Suthard said he will retire shortly as the Virginia Secretary of Public Safety.

In making the announcement, which came on the heels of a newspaper's report about cash gifts to IACP officials during a trip to Japan, Suthard main-

tained that he had not violated the state's conflict-of-interest laws, reiterating that he returned the \$3,000 received from Buddhist leader Seiyu Kiriya.

The Virginia attorney general's office says it is investigating whether any conflict-of-interest violations took place.

## Arizona to rework victims' rights law

Continued from Page 9

their names and phone numbers were published in telephone directories or church bulletins.

"The language itself was so broad that it was going to cover anything that would allow a person to find out the identity of a victim. That was the part that was really bad," she told LEN. "Everyone knew that was not the intent when the law was drafted. We felt the easiest and quickest way was to repeal or delete this language and work together on new language."

Wessels said newspapers had generally supported the law. "We didn't want anyone to think that we were against privacy. It's just the way it was written. Everybody in the entire state from me on down missed this when it became law. We were so thrilled to have a victims-rights bill...but the language itself was completely too broad."

Karen Duffy, a victims' rights activist from Tucson who led the grass-roots campaign for victims' rights legislation, said she felt the repeal was appropriate because the law's language was "unworkable."

"I heard from court clerks that were ready to quit their jobs," she said, because of the liability provisions. Duffy is currently working to draft a new section on victims' privacy which will be submitted to the Attorney General's Office for review.

Duffy, while cautioning that new

language for the bill is still being formulated, said the new language might require that victims formally request the deletion of information about them and may cover only certain types of crimes such as domestic violence or rape. Media access may still be limited, she said, "but the media would still have the ability to gather the information from friends, neighbors and cops. It just would not be as readily accessible [through the courts]."

Both Duffy and Thomas emphasized that the law was not intended to shackle the media's access to court records, only to protect the identity of victims. Duffy, who has worked with crime victims for more than 15 years, said she has never encountered a situation where newspapers did not take steps to protect a victim's identity in cases where such protection was deemed appropriate.

The privacy sections were drafted with the protection of rape and domestic violence victims in mind because those victims need to be free of worry that their assailants can track down their whereabouts, said Thomas. "Even though the possibility is slim that the perp is going to go back to their homes after them, the victim is going to live in terror of that. They're going to be sleepless at night worrying about that. I think that's a needless trauma for the victim to go through, and really, the victim shouldn't have to."

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## CRIMINAL JUSTICE ETHICS

VOLUME 10/NUMBER 2

SUMMER/FALL 1991

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Jaime Malamud-Goti

### Do Cops Really Need a Code of Ethics?

Michael Davis

### Restitution: Pure or Punitive?

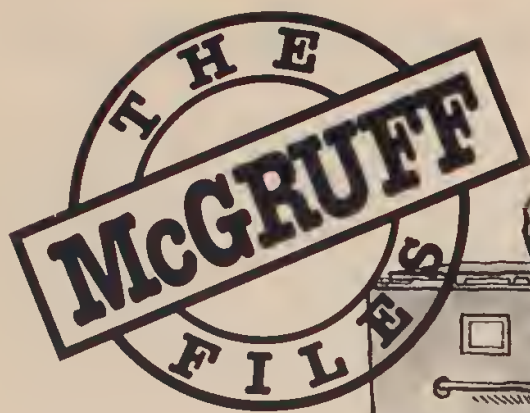
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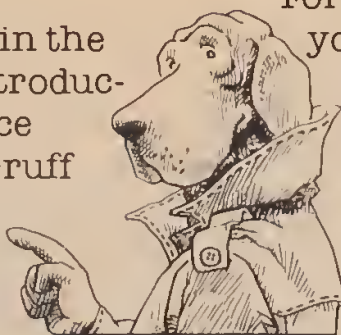
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# Criminal Justice Library

*A critical look, a critically needed emphasis:*

## Bittner scores in "Aspects of Police Work"

Aspects of Police Work.  
By Egon Bittner.  
Boston: Northeastern University  
Press, 1990.  
\$40.00.

By Christopher Cooper

Egon Bittner's "Aspects of Police Work" is as timely as it is long-awaited. Taking a critical look at the current state of policing in the United States, the author successfully demonstrates the need for the professionalization of law enforcement.

In an introduction that is by far one of the most enjoyable parts of the book, Bittner launches his examination by presenting a historical basis for the shortcomings that are currently hampering American police departments. In the past, he notes, "the strengths sought in recruits were the manly virtues of honesty, loyalty, aggressiveness, and visceral courage. It was also understood that police recruits should be able and willing to follow uncritically all received commands and regulations. Of course, they had to be literate enough to read instructions and to write short reports. But it was taken for granted that police work was not for people whose intellectual aspirations reached far beyond this level."

Sadly, Bittner points out, not much has changed. There is still an influx of individuals whose "intellectual horizon is limited by a high school diploma and who have chosen police work as an alternative to some other low-level occupation." Hence, system reform is only remotely achievable.

Bittner offers suggestions as to how police work can be improved. He argues the seeming necessity of redefining police work "from a relatively low-grade occupation to a profession in the full sense of the term. That is, it must become an occupation open to people whose aspirations are strong enough to endure a protracted educational experience, followed by an appropriate internship training period."

Bittner's discussion of officers who work in urban environments is intriguing, providing needed explanations of many police actions that are often taken for granted. However, his chapter titled "The Police on Skid Row" is bland and insignificant to the major thrust of the overall book. Arguably, the issues discussed in the chapter, which revolve around police-citizen interaction, lend credence to the need for a new improved police officer.

The book continues off course in the following chapter, "Police Discretion in Emergency Apprehension of Mentally Ill Persons." This chapter, like the one preceding it, seems to escape the reformist orientation of the book. Instead, while an insightful discussion, it grapples with police interaction with the mentally ill and the societal and bureaucratic constraints that officers must contend with when confronted with these awkward encounters.

By Chapter 4, "The Functions of the Police in Modern Society," Bittner is back on track. In a concise discussion of what is currently occurring in policing, he correctly points out that we need to understand that crime-fighting is not only the function of modern police work.

However, Bittner errs egregiously in his generalizations of what all police do on a daily basis. He admits that his scholarly work is the result of police ride-alongs and observations of police at work; however, he then dares to make generalizations that the urban cops he talks about in Chapter 2 would find lacking in veracity.

For example, there is the question of just how much of an officer's time is spent employing physical force. Bittner is of the opinion that criminal law enforcement by the police is limited to those offenses in which it is assumed

positive change in policing. Bittner correctly attributes the change thus far to a new breed of educated police administrators, as well as to the contributions of academic scholars such as himself. Interestingly, for the latter, Bittner provides an insightful discussion of research in policing, highlighting the reasons for the dearth of police research until only recently. Then, dishearteningly, he notes that the police have never developed a program of research and study on their own.

Analyzing the relationship between college education and policing, Bittner observes: "[N]othing one learns in college is particularly helpful for police work. In fact, because most college graduates come from middle-class backgrounds, while most of police work is directed toward members of the lower classes, there is a risk of a cultural gap between those who do the policing and the policed." The latter part of the assertion is logical enough, although the former part does not consider the knowledge and skills that a college education provides an individual. No doubt Bittner would agree that many of the services that the police provide often require a

working knowledge of the social sciences, as well as the analytical skills born from education in general.

Perhaps the most exciting discussion of the book pertains to the mandate of the police officer. Bittner rightly points out "that policemen have not succeeded in formulating a justification of their existence that would recognizably relate to what they actually do." He fears that in the absence of a clear mandate spelling out the purpose of the police, politics will determine the activities of police departments. Moreover, the formation of any long-range cooperative understandings between police departments and citizens will be inhibited.

The book describes the present state of policing as one that resists upgrading selection standards. In addition, the author describes it as administratively regulated in such a way that it "constitutes a positive impediment in the path of a responsible policeman." According to Bittner, many policemen are "contemptuous toward the people with whom they deal and oblivious to the seriousness of their tasks."

Like many of Bittner's publications,

"Aspects of Police Work" offers practical strategies for a transformation in policing. Unfortunately, the studies he cites herein are too outdated to have much relevance to 1991. No doubt the author would himself agree that in the past 10 years alone there has been much published concerning the police. Furthermore, his discussions do not fully encompass the environment in which urban police operate or the frequency of their actual day-to-day functions.

These are not compelling reasons to ignore the value of this work, however. Shortcomings notwithstanding, this book would make an outstanding text for a graduate-level course in police science or criminal justice.

And, to be sure, Bittner should be loudly praised for his emphatic position that more highly qualified individuals should be hired as police officers, and that the professionalization of police agencies is imperative.

(Christopher Cooper is a police officer with the Metropolitan Police Department in Washington, D.C., and a doctoral student in criminal justice at American University.)

*"Bittner should be loudly praised for his emphatic position that more highly qualified individuals should be hired as police officers."*

that force may have to be used to bring the offender to justice. He states: "It is very likely, though we lack information on this point, that the actual use of physical coercion and restraint is rare for all policemen and that many policemen are virtually never in a position of having to resort to it."

One could easily argue that Bittner is either using inappropriate terminology or is confusing the criminal process with criminal law enforcement. Distinguishing between the two makes sense when one considers that extra-judicial methods are often used in lieu of arrest to deal with lawbreakers in urban environments. Bittner vaguely acknowledges that police officers sometimes accomplish their tasks via forms of discretion that may involve restraining an individual (without engaging in police brutality) but not making an arrest.

It is not difficult to assume that Bittner maintains a seriously idealistic and theoretical view that police officers who work in urban environments are seldom called upon in a single tour of duty to respond to calls involving violence and/or to apprehend dangerous criminals.

Admittedly, arrests are not an accurate measure of criminal enforcement. Nonetheless, in order to defend the aforementioned assertion that criminal enforcement is not a day-to-day characteristic of police work for officers in general, Bittner makes use of obsolete data. Included here are a 1969 estimate by the research division of the International Association of Chiefs of Police and data from studies done in 1967, 1973 and 1975.

Bittner devotes space to a discussion of the public perception of police. He accomplishes this quite lavishly with references to how police were once perceived as political robots. He takes the position that policing has progressed to the point that wanton police brutality is sporadic. However, he does not consider that the behavior may still be widespread, but simply more clandestine.

The book paints a picture of gradual

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## **Treatment for sex offenders analyzed**

**Continued from Page 5**

new crimes than older ones. Thirty percent of rapists under age 28 were nabbed for new sex crimes after release, while less than half as many of the older rapists, or 14 percent, were rearrested. Twenty-three percent of young child molesters were rearrested for new crimes after release, while 14 percent of older molesters were rearrested. The paper found that rapists were 27 years old at the time of their first sex crime arrest; child molesters were arrested for the first time at the average age of 32.

The newspaper's probe was sparked by an increasing number of violent, high-profile sex crimes that have occurred in the state in the past few years, particularly last summer, including several rape-murders in the St. Paul-Minneapolis area. It noted that in 1990, 1,640 rapes were reported to Minnesota law enforcement agencies — a 21-

percent increase over the record number of rapes reported in 1989.

### **NYS issues first-ever stats on bias crime**

**Continued from Page 5**

Jacqueline Lake-Sample, director of the DCJS Bureau of Criminal Justice Statistical Services, told LEN that the report was released as a form of "advertising" to encourage the state's remaining 500 or so law enforcement agencies to submit bias-crime data.

"We've only been able to contact a certain amount of agencies in the state based on the amount of funds we've had. We haven't had much funding for this project. . . . The other agencies are not on board [through] no fault of their own because we haven't been able to get in touch and recruit," she said.



# Upcoming Events

## JANUARY 1992

- 20-22. DUI Standardized Field Sobriety Testing.** Presented by the Institute of Police Technology & Management. To be held in Eustis, Fla. Fee: \$325.
- 20-23. Comprehensive Staff Inspections Training.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$395.
- 20-24. Drug Unit Commander Seminar.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$425.
- 20-24. Introductory TEAM-UP Database Management System.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$575.
- 20-24. Crime Prevention through Environmental Design: Specific Applications.** Presented by the Florida Crime Prevention Training Institute. To be held in Hollywood, Fla. Fee: \$215.
- 20-31. At-Scene Traffic Accident/Traffic Homicide Investigation.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$575.
- 20-31. Supervising a Selective Traffic Law Enforcement Program.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$595.
- 21-22. Physical Security.** Presented by Richard W. Kobetz & Associates. To be held in Orlando, Fla. Fee: \$375.
- 21-23. Police Manpower Allocation & Distribution.** Presented by Valencia Community College. To be held in Orlando, Fla. Fee: \$195.
- 22. Re-Empowerment of Management.** Presented by Van Meter & Associates. To be held in Leavenworth, Kan. Fee: \$95.
- 22-24. Juvenile Law.** Presented by the Institute of Criminal Justice Studies. To be held in Houston. Fee: \$60.
- 22-25. The San Diego Conference on Responding to Child Maltreatment.** Presented by the Center for Child Protection. To be held in San Diego. Fee: \$345.
- 26-28. Street Survival '92.** Presented by Calibre Press. To be held in Atlanta. Fee: \$149 (all three days); \$125 (first two days only); \$85 (third day only).
- 27. Training Officers Development.** Pre-

sened by Van Meter & Associates. To be held in Livonia, Mich. Fee: \$425.

**27-28. Executive/VIP Protection.** Presented by Richard W. Kobetz & Associates. To be held in Fort Lauderdale, Fla. Fee: \$375.

**27-29. Field Training Program for Communications Officers.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$325.

**27-31. Forensic Photography.** Presented by the Dade County Medical Examiner Department. To be held in Miami, Fla. Fee: \$695.

**27-31. Photography in Traffic Accident Investigation.** Presented by the Institute of Police Technology & Management. To be held in Tallahassee, Fla. Fee: \$450.

**27-31. Police Applicant Background Investigation.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$425.

**27-31. Crime Prevention through Environmental Design.** Presented by the National Crime Prevention Institute. To be held in Louisville, Ky. Fee: \$365.

**27-31. Retail Security.** Presented by the National Crime Prevention Institute. To be held in Louisville, Ky. Fee: \$365.

**27-Feb. 7. At-Scene Traffic Accident/Traffic Homicide Investigation.** Presented by the Institute of Police Technology & Management. To be held in Whittier, Calif. Fee: \$575.

**27-Feb. 7. Line Supervision.** Presented by the Institute of Police Technology & Management. To be held in St. Augustine, Fla. Fee: \$575.

**27-Feb. 14. Command Training Program.** Presented by the New England Institute of Law Enforcement Management. To be held in Wellesley, Mass.

**29-30. Police Legal Research Techniques.** Presented by the Pennsylvania Police Criminal Law Bulletin. To be held in Philadelphia. Fee: \$179.

**29-31. Police Stakeout & Surveillance Techniques.** Presented by Valencia Community College. To be held in Orlando, Fla. Fee: \$195.

**29-31. DUI Standardized Field Sobriety Testing.** Presented by the Institute of Police Technology & Management. To be held in Green Acres City, Fla. Fee: \$325.

## FEBRUARY

**1. Firearms Instructor Course.** Presented by David L. Salmon, Ph.D. To be held in Houston.

**3-4. Police Pursuit.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$295.

**3-5. DUI Standardized Field Sobriety Testing.** Presented by the Institute of Police Technology & Management. To be held in Miami. Fee: \$325.

**3-7. Developing & Managing Racketeering Investigations.** Presented by Valencia Community College. To be held in Orlando, Fla. Fee: \$195.

**3-7. Homicide Investigation.** Presented by the Institute of Police Technology & Management. To be held in St. Petersburg, Fla. Fee: \$425.

**3-7. Investigation of Motorcycle Accidents.** Presented by the Institute of Police Technology & Management. To be held in Monterey, Calif. Fee: \$425.

**3-7. Undercover Drug Enforcement Techniques.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$495.

**3-14. The Science of Fingerprints.** Presented by the Florida Criminal Justice Executive Institute. To be held in Tallahassee, Fla. Fee: \$250.

**3-14. Advanced Traffic Accident Investigation.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$575.

**3-21. Crime Prevention Theory, Practice & Management.** Presented by the National Crime Prevention Institute. To be held in Louisville, Ky. Fee: \$870.

**4-6. Prevention Programs for Children & Adolescents.** Presented by the Institute of Criminal Justice Studies. To be held in Dallas. Fee: \$55.

**7. Applied Police Report Writing.** Presented by Van Meter & Associates. To be held in Eagan, Minn. Fee: \$85.

**10-11. Security Litigation: Research & Evaluation Techniques.** Presented by the National Crime Prevention Institute. To be held in Louisville, Ky. Fee: \$185.

**10-14. Lasers & Alternate Light Sources in Detecting Physical Evidence.** Presented by Valencia Community College. To be held in Orlando, Fla. Fee: \$295.

**10-14. Crime Scene Technician Seminar.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$425.

**10-14. Homicide Investigation.** Presented by the Institute of Police Technology & Management. To be held in Charleston, S.C. Fee: \$425.

**10-14. Police Traffic Radar Instructor.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$425.

**10-14. Field Training Officers' Seminar.** Presented by the Institute of Police Technology & Management. To be held in Phoenix. Fee: \$425.

**10-March 6. Police Traffic Management.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$995.

**12-14. Management & Design of Law Enforcement Facilities.** Presented by the Southwestern Law Enforcement Institute. To be held in Dallas. Fee: \$195 (SLEI members); \$295 (non-members).

**12-14. Cons, Scams, Hoaxes, Carnival Games & Other Frauds.** Presented by Valencia Community College. To be held in Orlando, Fla. Fee: \$185.

**12-14. Street Survival '92.** Presented by Calibre Press. To be held in Atlantic City, N.J. Fee: \$149 (all three days); \$125 (first two days only); \$85 (third day only).

**17-21. Homicide & Other Death Investigations.** Presented by Valencia Community College. To be held in Orlando, Fla. Fee: \$295.

**17-21. Field Training Officers' Seminar.** Presented by the Institute of Police Technology & Management. To be held in Orange Park, Fla. Fee: \$425.

**17-28. Traffic Accident Reconstruction.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$595.

**19-21. Basic Juvenile Detention Center Personnel Training.** Presented by the Institute of Criminal Justice Studies. To be held in Austin, Tex. Fee: \$55.

**20. Applied Police Report Writing.** Presented by Van Meter & Associates. To be held in Three Rivers, Mich. Fee: \$85.

**20-21. Police Supervision.** Presented by Van Meter & Associates. To be held in Eagan, Minn. Fee: \$155.

**24. Training Officers Development Course.** Presented by Van Meter & Associates. To be held in Leavenworth, Kan. Fee: \$425.

**24-27. Tactical Crime Analysis.** Presented by the National Crime Prevention Institute. To be held in Louisville, Ky. Fee: \$320.

**24-28. Advanced Management Practices.** Presented by the New England Institute of Law Enforcement Management. To be held in Wellesley, Mass.

**24-28. Criminal Patrol Drug Enforcement.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$425.

**25-26. Executive/VIP Protection.** Presented by Richard W. Kobetz & Associates. To be held in New Orleans. Fee: \$375.

**25-27. Street Survival '92.** Presented by Calibre Press. To be held in Louisville, Ky. Fee: \$149 (all three days); \$125 (first two days only); \$85 (third day only).

**25-28. Symposium on Microcomputers in Law Enforcement.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$375.

**26-28. Vice Crimes: Investigation & Prosecution.** Presented by Valencia Community College. To be held in Orlando, Fla. Fee: \$185.

**27-28. Middle Eastern Terrorism.** Presented by Richard W. Kobetz & Associates. To be held in New Orleans. Fee: \$375.

**27-March 1. Criminologists & Public Policy: New Perspectives, New Agendas.**

The annual conference of the Western Society of Criminology. To be held in San Diego.

## MARCH

**2-5. Interviews & Interrogations for Internal Affairs Officers.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$395.

**2-6. Composite Drawing for Law Enforcement.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$425.

**2-6. Introductory TEAM-UP Database Management.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$575.

**2-6. Field Training Officers' Seminar.** Presented by the Institute of Police Technology & Management. To be held in Franklin, Tenn. Fee: \$425.

**2-13. Traffic Accident Reconstruction.** Presented by the Institute of Police Technology & Management. To be held in St. Petersburg, Fla. Fee: \$595.

**2-13. Advanced Traffic Accident Investigation.** Presented by the Institute of Police Technology & Management. To be held in Miami, Fla. Fee: \$575.

**6. Incest: Speaking the Unspeakable (Identification, Healing & Prevention).** Presented by the New York City Coalition for Women's Mental Health. To be held in New York. Fee: \$65 (\$55 before Feb. 15).

**6. Major Crime Scene Reconstruction.** Presented by Van Meter & Associates. To be held in Three Rivers, Mich. Fee: \$85.

**6. Firearms Instructor Course.** Presented by David L. Salmon, Ph.D. To be held in Houston.

**9-13. Developing & Maintaining a DWI Program.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$395.

**9-13. Homicide Investigation.** Presented by the Institute of Police Technology & Management. To be held in Phoenix. Fee: \$425.

**9-13. Police Motorcycle Rider Course.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$650.

**9-13. Field Training Officers' Seminar.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$425.

**9-13. Skills Development: Advanced Composite Art.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$450.

**9-20. Crime Prevention Technology & Programming.** Presented by the National Crime Prevention Institute. To be held in Louisville, Ky. Fee: \$615.

**9-20. Police Motorcycle Instructor Course.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$1,100.

**11-13. Street Survival '92.** Presented by Calibre Press. To be held in Denver. Fee: \$149 (all three days); \$125 (first two days only); \$85 (third day only).

**14. Death Investigation as it Relates to EMT's & Other First Responders.** Presented by NIS Inc. To be held in Little Rock, Ark. Fee: \$45.

**15-18. 19th National Conference on Juvenile Justice.** Co-sponsored by the National District Attorneys Association and the National Council of Juvenile & Family Court Judges. To be held in Orlando, Fla. Fee: \$290 (member); \$320 (non-member). Discounts for registration before Feb. 14.

## For further information:

**Broward Sheriff's Office Organized Crime Centre,** P.O. Box 2505, Fort Lauderdale, FL 33303. (305) 492-1810

**Calibre Press,** 666 Dundee Rd., Suite 1607, Northbrook, IL 60062-2727. (800) 323-0037.

**Center for Child Protection, Children's Hospital,** 8001 Frost St., San Diego, CA 92123. (619) 495-4940. Fax: (619) 278-2365.

**Criminal Justice Center Police Academy,** Sam Houston State University, Box 2296, Huntsville, TX 77341-2296. (409) 294-1669, 70.

**Florida Criminal Justice Executive Institute,** Attn.: Jerry Bahr, Research & Training Specialist, P.O. Box 1489, Tallahassee, FL 32303 (904) 488-1340.

**Georgia Police Academy,** 1000 Indian Springs Or., Forsyth, GA 31029-9599. (912) 993-4528.

**Institute of Criminal Justice Studies,** Southwest Texas State University, West Campus, Canyon Hall, San Marcos, TX 78666-4610 (512) 245-3030 Fax (512) 245-2834

**Institute of Police Technology & Management,** University of North Florida, 4567 St. Johns Bluff Rd. So., Jacksonville,

FL 32216. (904) 646-2722.

**Institute of Public Service,** 601 Broad St., S.E., Gainesville, GA 30501 1-800-235-4723

**Richard W. Kobetz & Associates Ltd.,** Arcadia Manor, Rte. 2, Box 3645, Berryville, VA 22611. (703) 955-1128

**Metro-Dade County Medical Examiner Department,** Number One on Bob Hope Rd., Miami, FL 33136-1133 (305) 545-2486. Fax: (305) 545-2418.

**Metro-Dade Police Department, Training Bureau,** Attn: Sgt. Liz Brown, 9601 NW 58th St., Miami, FL 33178. (305) 594-1001

**National Crime Prevention Institute,** Shelby Campus, University of Louisville, Louisville, KY 40292. (502) 588-6987.

**National District Attorneys Association,** Attn.: Juvenile Justice Conference, 1033 N. Fairfax St., Suite 200, Alexandria, VA 22314. (703) 549-9222. Fax: (703) 836-3195.

**New England Institute of Law Enforcement Management,** P.O. Box 57350, Babson Park, MA 02157-0350. (617) 239-7033

**New York City Coalition for Women's Mental Health,** Attn.: Lynne Jones, (212) 799-8553.

**NIS Inc.,** P.O. Box 1932, North Little Rock,

AR 72115 (501) 374-8565 Fax (501) 374-0843

**Northwestern University Traffic Institute,** 555 Clark St., P.O. Box 1409, Evanston, IL 60204 1-800-323-4011.

**Pennsylvania Police Criminal Law Bulletin,** 2579 Warren Rd., Indiana, PA 15701. (412) 465-5165.

**John E. Reld & Associates Inc.,** 250 South Wacker Dr., Suite 1100, Chicago, IL 60606. (312) 876-1600.

**Dr. David L. Salmon,** North Harris College, 3310 Candlecreek, Spring, TX 77388. (713) 288-9190.

**Southwestern Law Enforcement Institute,** P.O. #30707, Richardson, TX 75083-0707 (214) 690-2370.

**Valencia Community College, Governmental Services Program,** P.O. Box 3028, Orlando, FL 32802-3028. (407) 299-5000, ext. 3265.

**Van Meter & Associates,** P.O. Box 21313, Columbus, OH 43221 (800) 331-8025

**Western Society of Criminology,** Attn.: Susan T. Meier, California State University-Sacramento, School of Health and Human Services, 6000 J St., Sacramento, CA 95819-6104 (916) 278-5905

**TO OUR FAMILY OF  
LEN READERS:**  
Our best wishes for a  
peaceful, healthy,  
contented new year.



# Law Enforcement News

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December 31, 1991



The New York Post, 1991

## The greening of America:

A seemingly innocent trip to Japan turns into a sackful of temptations for IACP officials, who are given — and give back — thousands of dollars in cash gifts by a Buddhist leader with connections to the giant NEC computer firm, which sells automated fingerprint systems to U.S. police agencies. **Page 1.**

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